IN THE

Supreme Court of the United States

Supreme Court, U.S.
FILED
06-507 OCT 5 - 2006
OFFICE OF THE CLERK

Sgt. Emmett L. Williams
Petitioner, Plaintiff
-Vs.-

State of Georgia, "et al." **05-17046-BB**, and three other Incorporated Conspiracy Cases: Cases Numbers: 05-15648-JJ (06-125), 05-15760-CC (05-1644), and 05-11275-AA (05-833)
Respondents, Defendants

28 U.S.C. &2403(a), The Petitioner's E.E.O.C. Federally Filed Lawsuit **(1:02-CV-2197) was filed by the Petitioner on August 08, 2002** within the legal filing limits of the E.E.O.C. 300 days and 90 days statues that came under the Federal Judiciary Protection Powers of the Federal Courts on and after August 08, 2002 **where the Petitioner's August 08, 2002 Lawsuit was served upon the Respondents on September 27, 2002** by the Attorney Charles D. Best where **on September 27, 2002**, the Respondents and the Attorney Charles D. Best formed an Illegal, Unlawful, Unconstitutional, and Discriminatory Undisclosed Dual Agency Relationship where **on September 27, 2002**, the Respondents had the audacity to **purchased** and the Attorney Charles D. Best had the audacity to **sell** the United States Courthouse Serving Papers where the Respondents and the Attorney Charles D. Best unconstitutionally reduced the Petitioner's United States American Citizenship where the Respondents and the Attorney Charles D. Best **DEAD DOCKETED** the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) where **on September 27, 2002**, the Respondents unconstitutionally **Terminated** the Petitioner's Employment from the State of Georgia without a required upon **P.M.P.** or without having any other justifiable Probable Causes where the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII have **RESERVED** all rights of the Petitioner **to RESCIND** any and all transactions made under a Undisclosed Dual Agency Relationship **including the February 12, 2003 Dismissal of the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197)** that does not bear the Petitioner's Signature for Dismissal as **"the Only Party of Consent"** as the Lawsuit's Creator and Originator **that makes the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) a valid and enforceable Lawsuit (28 U.S.C. &2403(a)).**

Petition for a Writ of Certiorari to the United States Court of Appeals for the Eleventh Circuit and the United States District Court for Northern District of Georgia

PETITION FOR WRIT OF CERTIORARI

Sgt. Emmett L. Williams, Pro-Se Litigant
1266 Bedford Avenue, Columbus, Georgia 31903
IN THE NAME OF JUSTICE BECAUSE JUSTICE SO REQUIRES

Question Presented.

It is unconstitutional and discriminatory for the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia to Condone, Support, or Cooperate Within the Jim Crow Mechanics of a Constitutional Raping where " Res Judicata" and "Judicial Immunity" **are both BARRED** by the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII where "Res Judicata" and "Judicial Immunity" **are both BARRED** and do not apply or exist in any of the Petitioner's Federally Filed Lawsuit Cases that are Filed under this Federal Case (1:02-CV-2197) **Because** Judges Oakley and Baird are not eligible for "Judicial Immunity" **BECAUSE** Judges Oakley and Baird acted **"IN CLEAR ABSENCE OF ALL JURISDICTION"** Because Judges Oakley and Baird acted outside of the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII where Judges Oakley and Baird acted outside of all of Georgia's Policies, Procedures, Guidelines, and Regulations that is governed by the Georgia Performance Management Process that requires that the Employer establishes a P.M.P. on all Georgia State Employees at the beginning of Performance Management Period that was never established with the Petitioner where Judges Oakley and Baird are not eligible for Judicial Immunity in any of the Petitioner's Federally Filed Lawsuit Cases that are filed under this Federal Case (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

Addressed To: The Honorable **JOHN GROVER ROBERTS**
Addressed To: The Honorable **CLARENCE THOMAS**
Addressed To: The Honorable **RUTH BADER GINSBURG**
Addressed To: The Honorable **SAMUEL A. ALITO**
Addressed To: The Honorable **SAM BODMAN**
Addressed To: The Honorable **STEPHEN J. BREYER**
Addressed To: The Honorable **ANTHONY M. KENNEDY**
Addressed To: The Honorable **JOHN PAUL STEVENS**
Addressed To: The Honorable **DAVID HACKETT SOUTER**

Addressed To All United States Supreme Court Justices
Office of the Clerk, William K. Suter, Clerk of the Court
1 First Street, N.W., Washington, D.C. 20548

TABLE OF CONTENTS

Question Presented...................... i

Table of Contents........................ ii

Certificate of Interested Persons
And Corporate Disclosure
Statement..........................iii, iv, v, vi, and vii

Reason for Granting this Writ is because the Petitioner Motions the Court for Justice and Equality of Receiving "Equal Justice Under the Law" because "the doctrine of res judicata' and "Judicial Immunity" **are both BARRED by the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII** where "the doctrine of res judicata" and " Judicial Immunity" **are both BARRED** and do not apply or exist in any of the Petitioner's Federally Filed Lawsuit Cases that are filed under this Federal Case (1:02-CV-2197), **because Judges Oakley and Baird are not eligible for Judicial Immunity Because Judges Oakley and Baird acted "In Clear Absence of all Jurisdiction"** after the Petitioner's August 08, 2002 Lawsuit Filing.............................viii, ix, x, xi, and xii

Table of Authorities.............. xiii, xiv, xv, and xvi

Table of Appendices.............. xvi, xvii, xviii,
xix and xx

Title page.................................. 1
Statement of Jurisdiction................. 2

Statement of the Case... 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,
14, 15, 16, 17, 18, 19, 20, and 21
Conclusion...............................21, 22, 23, and 24

CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT

Sgt. Emmett L. Williams –vs.- State of Georgia "et al." Case No, 05-17046-BB is Incorporated with as apart of and Directly Related to Civil Action Cases: 1:05-CV-1303, 1:04-CV-2415, 1:05-CV-1781, and 1:05-CV-2274, and Appeal Cases: 05-15760-CC, and 05-15648-JJ, and Supreme Court Case: 05-833 (05-11275-AA)

The undersigned Petitioner, Sgt. Emmett L. Williams, hereby certifies that the following is a complete list of person and entities that who have an interest in the outcome of this case:

(a) Sgt. Emmett L. Williams, Petitioner
(b) The State of Georgia DOD National Guard Headquarters under;
(c) Maj. Gen. David Poythress, Commander, as a related Respondent and not eligible for "res Judicata" and **BARRED** by State, Federal, and Constitutional Law after the Petitioner' August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**
(d) Thomas H. Blackstock, Facilities Manager, as a related Respondent and not eligible for "res judicata" and **BARRED** by State, Federal, and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(e) James Bruno, Chief of Staff and Appointing Authority, as a related Respondent and not eligible for "res judicata" and **BARRED** by State, Federal and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(f) Kenneth R. Weldrep, J.A.G. and Prosecuting Attorney, as a related Respondent and not eligible for "res judicata" or "Judicial Immunity" and **BARRED** by State, Federal, and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(g) Lois Oakley, State Administrative Hearing Chief Law Judge, as a related Respondent and not eligible for "res judicata" and "Judicial Immunity" and **BARRED** by State, Federal, and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(h) W. Joseph Baird, state Administrative Hearings Judge, as a related Respondent not eligible for "res judicata" and "Judicial Immunity" and **BARRED** by State, Federal, and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(i) Ed. Chamberlain, DOD Personnel Administrator, as a related Respondent not eligible for "res judicata" and **BARRED** by State, Federal, and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a))**

(j) Sandra Bruce, DOD Personnel Administrator, as a related Respondent and not eligible for "res judicata" and **BARRED** by State, Federal, and Constitutional Law before and after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(k) Raymond Faunt, Security Manager and the Plaintiff's Immediate Supervisor, as a related Respondent and not eligible for "res judicata" and **BARRED** by State, Federal, and Constitutional Law before and after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(l) Charles D. Best, illegal and unlawfully Conducted a Undisclosed Dual Agency Relationship as a Georgia Licensed Attorney, as a related Respondent not eligible for "res judicata" and **BARRED** by State, Federal, and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(m) G. Melton Mobley, the Respondents' Attorney and not eligible for "res judicata" and **BARRED** by State, Federal, and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(n) Bryan K. Webb, the Respondents' Attorney and not eligible for "res judicata" and **BARRED** by State Federal, and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(o) Dennis R. Dunn, the Respondents' Attorney and not eligible for "res judicata" and **BARRED** by State, Federal, and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(p) Thurbert E. Baker, the Respondents' Attorney and not eligible for "res judicata" and **BARRED** by State, Federal, and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a))**

(q) Robert L. Vining, Jr. United States District Judge **CANNOT** Condone, Support, or Cooperate Within the Jim Crow Mechanics of a Constitutional Raping; and **CANNOT** Unconstitutionally or Discriminatorily use "res judicata" and "Judicial Immunity" from the Respondents' Perjured Non-Existence September 10, 2001 Lie and the Respondents' Perjured Non-Existence 180 days Lie as

Reasons, Grounds, or Merits to Dismiss, Cover Up, or Justify the Respondents' Criminal Conduct and Activities of (7) seven counts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(r) Gerrilyn G. Brill, United States Magistrate Judge **CANNOT** Condone, Support, or Cooperate Within the Jim Crow Mechanics of a Constitutional Raping; and **CANNOT** Unconstitutionally or Discriminatorily use "res judicata" and "Judicial Immunity" on top of the Respondents' Perjured Non-Existence September 10, 2001 Lie and the Respondents' Perjured Non- Existence 180 days Lie as Reasons, Grounds, or Merits to Dismiss, Cover Up, or Justify the Respondents' Criminal Conduct and Activities of (7) seven counts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

/s/ Emmett L. Williams
Sgt. EMMETT L. WILLIAMS, Petitioner
Pro-Se Litigant

The Reason for Granting This Writ is Because the Petitioner Motions the Court for Justice and Equality of Receiving "Equal Justice Under the Law" because "res judicata" and "Judicial Immunity" are both BARRED by the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII where " res judicata" and " Judicial Immunity" are both BARRED and do not apply or exist in any of the Petitioner's Federally Filed Lawsuit Cases that are filed under this Federal Case (1:02-CV-2197) Because Judges Oakley and Baird are not eligible for Judicial Immunity Because Judges Oakley and Baird acted "In Clear Absence of All Jurisdiction" (28 U.S.C. &2403(a)).

The Magistrate Judge, the District Judge and the Appeal Judges herein the State of Georgia CANNOT grant Judges Oakley and Baird "res judicata" or "judicial immunity" because Judges Oakley and Baird are not eligible for "res judicata" or "judicial immunity" where Judges Oakley and Baird acted **"IN CLEAR ABSENCE OF ALL JURISDICTION" where Judges Oakley and Baird performed their Judiciary Duties under a undisclosed Dual Agency Relationship engaged with the Respondents** after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) where Judges Oakley and Baird allowed themselves to participate within the Jim Crow

Mechanics of a Constitutional Raping of all of the Petitioner's United States Guaranteed Constitutional Civil Rights, Liberties, and Freedoms as a Black Disabled United States American Citizen by aiding and assisting the Respondents' Criminal Conduct and Activities of (7) seven counts of Obstructing Federal Justice and (2) two Counts of Perjury where the Respondents' sabotaged and Derailing the Petitioner's ongoing August 08, 2002 Federally Filed Lawsuit Case (1:02-CV-2197) on September 27, 2002 **(1.....)** where Judges Oakley and Baird were in clear absence of the Georgia State Laws of Undisclosed Dual Agency after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(2.....)** where Judges Oakley and Baird were in clear absence of the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(3......)** where Judges Oakley and Baird were in clear absence all of the Georgia DOD Policies, Procedures, Guidelines, and Regulations after the Petitioner's August 08, 2002 Lawsuit Filing where Judges Oakley and Baird acted outside their Judicial Capacities after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(4.....)** where Judges Oakley and Baird deliberately, intentionally, unconstitutional, and discriminatorily participated within the Jim Crow Mechanics of a Constitutional Raping **(5.....)** where Judges Oakley and Baird are not eligible for "res judicata" or "judicial immunity" where Judges Oakley and Baird **are both BARRED** by the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII **(28 U.S.C. &2403(a)).**

The Respondents, the Attorney Charles D. Best, and Judges Oakley and Baird were all involved in an illegal, unlawful, unconstitutional, and discriminatory Undisclosed Dual Agency Relationship among themselves where the Respondents, the Attorney Charles D. Best, and Judges Oakley and Baird are all officers of the courts where the Respondents, the Attorney Charles D. Best, and Judges Oakley and Baird had an obligation to report all knowledgeable and known facts and evidences to the Federal Courts before, on, and after January 13, 2003 Show Cause Order was issued concerning the unconstitutional **DEAD DOCKETING** of the Petitioner's ongoing August 08, 2002 Federally Filed Lawsuit Case (1:02-CV-2197) along with the Petitioner's September 27, 2002 wrongful and unconstitutional termination from the State of Georgia **(28 U.S.C. &2403(a)).**

The Petitioner's E.E.O.C. 300 days Filing Statue Period **that existed from October 22, 2001 to August 18, 2002 where the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) was**

filed on the 290th day within filing limits, and the Petitioner's E.E.O.C. 90 days Right-to-Sue-Letter Statutory Period **that existed from May 15, 2002 to August 13, 2002 where the Petitioner's August 08, 2002 Lawsuit was filed on the 85th day within filing limits** where the Petitioner's Lawsuit was filed on **August 08, 2002** that was filed within the legal filing limits of the E.E.O.C. 300 days and 90 days statues where the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia **CANNOT** use "the doctrine of res judicata" from the Respondents' Perjured Non-Existence September 10, 2001 Lie and the Respondents' Perjured Non-Existence 180 days Lie as Reasons, Grounds, or Merits to Dismiss, Cover Up, or Justify the Respondents' Criminal Conduct and Activities of (7) seven counts of Obstructing Federal Justice and (2) two Counts of Perjured where the Respondents' violated and broken State, Federal, and Constitutional Laws after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403)).**

THE GEORGIA STATE LAW OF UNDISCLOSED DUAL AGENCY and THE FEDERAL RETALIATION and DISCRIMINATION LAWS OF THE E.E.O.C. and THE UNITED STATES CONSTITUTION UNDER TITLES I, V, and VII have **RESERVED** all of the rights of the Petitioner **to RESCIND** any and all transactions made under a

Undisclosed Dual Agency Relationship **including the February 12, 2003 Dismissal of the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) that does not bear the Petitioner's Signature for Dismissal as "the only Party of Consent" as the Lawsuit's Creator and Originator that makes the Petitioner's August 08, 2002 Federally Filed Lawsuit (1:02-CV-2197) a valid and enforceable lawsuit** where "the doctrine of res judicata" and "judicial immunity" **are both BARRED** by the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII where "the doctrine of res judicata" and "judicial immunity" **are both BARRED** and do not apply or exist in any of the Petitioner's Federally Filed Lawsuit Cases that are filed under this Federal Case (1:02-CV-2197) where the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia **CANNOT** unconstitutionally or discriminatorily use "the doctrine of res judicata" and "Judicial Immunity" from the Respondents' Perjured Non-Existence September 10, 2001 Lie and the Respondents' Perjured Non-Existence 180 days Lie as Reasons, Grounds, or Merit to Dismiss, Cover Up, or Justify the Respondents' Criminal Conduct and Activities of (7) seven courts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing **(1:02-CV-2197) (28 U.S.C. &2403(a)).**

TABLE OF AUTHORITIES

Facts:

a.) The United States Constitution
b.) The Declaration of Independence
c.) The Emancipation Proclamation
d.) The 13th, the 14th, the 15th, and the 19th Amendments to the United States Constitution
e.) The United States Constitutional Civil Rights Acts of 1964, 1981, and 1991 as amended "et al".
f.) The Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution that under Title I, Title V, and Title VII
g.) The Georgia Commission on Equal Opportunity Letter Dated October 22, 2001 from Mr. Todd S. Garrison that confirms that the starting date of the Petitioner's 300 days filing Statutory Period was October 22, 2001 that is undeniable and undisputed by the Respondents
h.) The U.S. Equal Employment Opportunity Commission Right to Sue Letter Dated May 15, 2002 that is undeniable and undisputable by the Respondents
i.) The State Bar of Georgia Letter from the Office of the General Counsel that confirms that the Attorney Charles D. Best is a shady and unscrupulous individual at best dated July 20, 2005 where all transactions made by the Attorney Charles D. Best and the Respondents

have been **RESCINDED** that is undeniable and undisputable by the Respondents

j.) GEORGIA STATE LAW GENERAL DEFINITION OF DUAL AGENCY: A dual agency arrangement is one in which an agent has been empowered to act for more than one party in a particular transaction. Dual Agency is only allowed with the knowledge and consent of all parties involved, and the agreement for such a relationship must be in writing. Without proper disclosure of the dual agency, no commission or fee may be earned by the agent, the agent may be liable to one or more parties for actual and /or punitive damages, and in some circumstance, one or more parties to the transaction may elect to rescind the transaction.

k.) The State of Georgia Performance Management Forms under the year 2000 ending dates that give a clear description as to the Petitioner's Employment History and Job Expectations that is undeniable and undisputable by the Respondents

l.) The Georgia Department of Defense Letter from the State Personnel Office Dated March 12, 2001 by Defendant Sandra Bruce that confirms the Effective Date of May 01, 1998 for the State DOD Personnel Policies and Procedures that is undeniable and undisputable by the Respondents

m.) The Georgia Department of Defense Personnel Policies and Procedures with the Effective Date of May 01, 1998 that is undeniable and undisputable by the Respondents

- **n.)** DCS-OPS-MS (190) Regulated Job Description Dated 29 June 1995 that confirms that the Petitioner has been exercising his Authority since 1995 of authorizing and scheduling Leave for himself and his employees.
- o.) A State of Georgia Training Certificate that was issued to the Petitioner and signed by the Governor Zell Miller for the successful completion of this training that makes the Petitioner an authority on this subject that is undeniable and undisputable by the Respondents
- p.) The Performance Management Process Training under the Georgia Gain Guidelines of S.M.A.R.T. was never conducted by the Respondents with a P.M.P. as apart of the State DOD Personnel Policies and Procedures when the Respondents terminated the Petitioner's Employment that was in direct violations of the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution that is undeniable and undisputable by the Respondents
- q.) The Letter from Kaiser Permanente Dated September 20, 2002 that confirms that the Petitioner was under the Doctor's Care and Treatment awaiting surgery when the Respondents violated the E.E.O.C. Title I, Title V, and Title VII by Harassing and Terminating the Petitioner's Employment for filing his

Lawsuit in Federal Court on August 08, 2002 that is undeniable and undisputable by the Respondent

r.) The Leave Grids signed by Sgt. Williams while under the non-established supervision of Mark Williams that was not in accordance to the State of Georgia DOD Policies, Procedures, Guidelines, and Regulations that confirms that the Petitioner was still authorizing Leave for himself and his employees that is undeniable and undisputable by the Respondents

s.) The Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) that was filed within the legal filing limits of the E.E.O.C. 300 days and 90 days statues that came under the Federal Judiciary Protection Powers of the Federal Courts on and after August 08, 2002 that are undeniable and undisputable by the Respondents.

INDEX TO APPENDICES

1. **Appendix A** – This is the Magistrate Judge's Final Report and Recommendation and Order including Petitioner's Footnotes Dates **October 14, 2005**, (1a., 2a., 3a., 4a., 5a., 6a., 7a., 8a., 9a., 10a., 11a., 12., 13a., 14a., 15a., and 16a.)

2. **Appendix B** – This is the District Judge's Order including Petitioner's Footnotes Dated **November 28, 2005**, (17a., 18a., and 19a.)

3. **Appendix C** – This is the Judgment from the District Court including Petitioner's Footnote Dated **November 29, 2005**, (20a., and 21a.)

4. **Appendix D** – This is the Appeal Decision including Petitioner's Footnote Dated **June 20, 2006,** (22a., 23a., 24a., and 25a.)

5. **Appendix E** – This is the Appeal Decision Answer after the Petitioner Requested an En Banc Hearing Dated **August 24, 2006** (26a., and 27a.)

SEPARATE DOCUMENTED FACTS AND EVIDENCES APPENDICES

6. **Appendix F** – This is a Bill from the Dekalb County EMS for services rendered on 10/06/01, (28a.)

7. **Appendix G** - This is the Complaint that the Petitioner placed in the mail to the G.C.E.O. on October 17, 2001, (29a., 30a., 31a., 32., and 33a.)

8. **Appendix H** – Dr. Stephen M. McCollam Surgery Operative Note Dated 10/18/01, (34a.)

9. **Appendix I** – This is an Intake Dismissal Form Dated October 22, 2001 from Mr. Todd S. Garrison confirming receipt and transfer, (35a. and 36a.)

10. **Appendix J** - The E.E.O.C. Right-to-Sue-Letter dated **May 15, 2002 to August 13, 2002**, (37a. 38a., and 39a.)

11. **Appendix K** - This is the U.S. Clerk's Stamped Front Page of the lawsuit that was filed by the Petitioner within the legal filing limit of the E.E.O.C. 300 days and 90 days statues dated on **August 08, 2002**, (40a.)

12. **Appendix L** - This is a letter receipt and agreement between the Attorney Charles D. Best and the Petitioner dated **September 09, 2002**, (41a., 42a., 42a., 44a., and 45a.)

13. **Appendix M** - The Doctor's Letter from Kaiser Permanente Dated Sept. 20, 2002, (46a.)

14. **Appendix N** - This is a unconstitutional Separation Notice that does not possess an established and prerequisite Performance Management Plan (P.M.P.) and does not possess any justifiable Probable Causes for Termination because the Petitioner had the Regulated Authority and Discretion to schedule leave for himself and his employees since year of 1995 (47a. and 48a.)

15. **Appendix O** - The Petitioner's Statement Regarding Mark Williams and the State of Georgia DOD Policies, Procedures, Guidelines, and Regulations, (49a., 50a., and 51a.)
16. **Appendix P** - This is the front page of the DOD Personnel Policies and Procedures with an effective date of May 01, 1998 (52a. and 53a.)

17. **Appendix Q** - The First two and half (2 ½) pages of the 1995 Regulation known as **DCS-OPS-MS (190)** that was issued by the National Guard Bureau Military Support Office that gave the Petitioner the Authority and Discretion to schedule leave for himself and his employees dated 29 June 1995 (54a., 55a., 56a., and 57a.)

18. **Appendix R** - This is the Prevailing P.M.P. and Evaluation until another one has been established dated September 30, 1999, (58a., 59a., 60a., and 61a.)

19. **Appendix S** - This is a receipt for cash where the Petitioner was paying the Attorney Charles D. Best where the Petitioner was totally unaware of the Respondents' and the Attorney Charles D. Best's undisclosed Dual Agency Relationship dated October 05, 2002, (62a. and 63a.)

20. **Appendix T** - This is the January 13, 2003 Show Cause Order that was received after the Respondents had been already served on September 27, 2002 that was immediately turned over to the Attorney Charles D. Best's Undisclosed Dual Agency, (64a. and 65a.)

21. **Appendix U** - This is where the Attorney Charles D. Best and the Respondents' undisclosed Dual Agency Relationship dismissed the Petitioner's August 08, 2002 Federally Filed Lawsuit Case (1:02-CV-2197), (66a., 67a., and 68a.)

22. **Appendix V** - This is a letter receipt for cash where the Petitioner was still paying the Attorney Charles D. Best and was still unaware of what was actually happening or going within this Case dated March 17, 2003, (69a. and 70a.)

23. **Appendix W** – This is a letter from the State Bar of Georgia, Office of the General Counsel where the State confirms that Attorney Charles D. Best is shady and unscrupulous Dated July 20, 2005, (71a. and 72a.)

24. **Appendix X** - This is a letter from the State Bar of Georgia and the Georgia Supreme Court disbarring the Attorney Charles D. Best dated December 01, 2005, (73a. 74a., 75a., and 76a.)

25. **Appendix Y** – This is a Letter from the State Bar of Georgia Client's Security Fund Dated August 03, 2006 **where the trustees voted to pay the Petitioner a total of $1,850.00 from the shady and unscrupulous conduct and activities of the Attorney Charles D. Best**, (77a. and 78a.)

26. **Appendix Z** – This is another letter from the State Bar of Georgia Client's Security Fund Dated September 06, 2006 where the Client's Security Fund issued the Petitioner an assignment check $1,850.00 from the shady and unscrupulous conduct and activities of the Attorney Charles D. Best (79a.)

IN THE
Supreme Court of the United States

Sgt. Emmett L. Williams
Petitioner, Plaintiff
-Vs.-
State of Georgia, "et al." **05-17046-BB**, and three other Incorporated Conspiracy Cases known as: Appeal Cases: 05-15760-CC (05-1644) and 05-15648-JJ (06-125), and 05-11275-AA (05-833)
Respondents, Defendants

Petition for a Writ of Certiorari To the United States Court of Appeal for the Eleventh Circuit and For the Northern District of Georgia

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The Petitioner, Sgt. Emmett L. Williams, prays that a Writ of Certiorari is issued as to review the Decisions, Orders, and Judgments of the United States District Court for Northern District of Georgia and the United States Court of Appeals For the Eleventh Circuit entered in this proceeding on October 14, 2005, November 29, 2005, June 20, 2006 and August 24, 2006 where the Magistrate Judge, District Judge, and Appeal Judges herein the State of Georgia **CANNOT** unconstitutionally and discriminatorily use " res judicata" and "Judicial Immunity" to Dismiss, Cover Up, and Justify the Respondents' Criminal Conduct and Activities of Obstructing Federal Justice (28 U.S.C. &2403(a)).

Jurisdiction.

The Decisions, Orders, and Judgments of the United States District Court were entered on October 14, 2005 and November 29, 2005 and the United States Court of Appeals was entered on June 20, 2006. The Petition for rehearing and rehearing En Banc were denied on August 24, 2006, and this Petition for Certiorari has been filed within 90 days **where the Magistrate Judge, the District Judge, and the Appeal Judges have unconstitutionally and discriminatorily** use "res judicata" and "Judicial Immunity" from the Respondents' Perjured Non-Existence Lies as Reasons, Grounds, and Merits to Dismiss, Cover Up, and Justify the Respondents' Criminal Conduct and Activities of (7) seven counts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) (**28 U.S.C. &2403(a)**). The Jurisdiction of this Court is invoked under 42 U.S.C. &2000e-5(f) and 28 U.S.C. &1331, &1337, 1343(4), & 28 U.S.C. &2403(a) because the Petitioner is a "person" within the meaning of 42 U.S.C. &2000e(a) and is subject to the jurisdiction of this Federal Court. Jurisdiction is founded upon the Constitution of the United States pursuant to the Civil Rights Act of 1964 (Title VII), as amended by the Act of 1991, 42 U.S.C., &2000e et. seq., to include Titles I and V of the A.D.A. of 1990; and upon the inherent and the traditional powers of this Court to do Justice.

The Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia have ignored and danced around all the Petitioner's facts and evidences pertaining to the Petitioner's Federally Filed Lawsuit Cases that are filed under this Federal Case (1:02-CV-2197) where the Magistrate Judges, the District Judge, and the Appeal Judges have gave the Petitioner the impression that the Magistrate Judge, the District Judge, and the Appeals are all performing their Judiciary Duties as the Respondents' unofficial Attorneys and Lawyers in all of the Petitioner's Federally Filed Lawsuit Cases that are filed under this Federal Case (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

The Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia would have everyone to believe that they as Judges that have never heard of the **GEORGIA STATE LAW OF UNDISCLOSED DUAL AGENCY and THE FEDERAL RETALIATION AND DISCRIMINATION LAWS OF THE E.E.O.C. AND THE UNITED STATES CONSTITUTION UNDER TITLES I, V, AND VII** that have **RESERVED** all rights of the Petitioner **to RESCIND** any and all transactions made under a Undisclosed Dual Agency Relationship including **the FEBRUARY 12, 2003 DISMISSAL OF THE PETITIONER'S AUGUST 08, 2002 LAWSUIT (1:02-CV-2197)** that does not bear the Petitioner's Signature for

Dismissal as **"the Only Party of Consent"** as the Lawsuit's Creator and Originator that makes the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) **a Valid and Enforceable Lawsuit** where "the doctrine of res judicata" and "Judicial Immunity" **are both BARRED** by the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII where "the doctrine of res judicata" and "Judicial Immunity" **are both BARRED** and do not apply or exist in any of the Petitioner's Federally Filed Lawsuit Cases that are filed under this Federal Case (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

These are the Respondents' Criminal Conduct and Activities of (7) seven counts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing **are listed as follows:**

On September 27, 2002, (1) The Petitioner's August 08, 2002 Federally Filed Lawsuit (1:02-CV-2197) was properly served upon the Respondents by the Attorney Charles D. Best on September 27, 2002 where the Attorney Charles D. Best was in possession of these properly served United States Courthouse Serving Papers as to be filed in the Federal Courts **by December 06, 2002 (28 U.S.C. &2403(a)).**

On September 27, 2002, (2) The Respondents and the Attorney Charles D. Best formed their own illegal, unlawful, unconstitutional, and discriminatory Undisclosed Dual Agency Relationship where the Respondents and the Attorney Charles D. Best are both in direct violation of Obstructing Federal Justice after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

On September 27, 2002, (3) While engaged in an Undisclosed Dual Agency Relationship, the Respondents **purchased** and the Attorney Charles D. Best **sold** the properly served United States Courthouse Serving Papers where the Respondents and the Attorney Charles D. Best **sabotaged, derailed, and DEAD DOCKETED** this Federally Filed Lawsuit Case **(1:02-CV-2197)** as the Respondents and the Attorney Charles D. Best unconstitutionally and discriminatorily reduced the Petitioner's United States American Citizenship down to something less than a Slave while in direct violation of Obstructing Federal Justice after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

On September 27, 2002, (4) While engaged in an Undisclosed Dual Agency Relationship, the Respondents immediately **TERMINATED** the Petitioner's Employment from the State of Georgia without an Established Performance Management

Plan (P.M.P.) or without any other justifiable Probable Causes while the Petitioner was under the Doctor's Care and Treatment awaiting surgery where the Respondents were in direct violation of Obstructing Federal Justice after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

Within the months of November and December 2002, (5) without a Performance Management Plan (P.M.P.) or without any other justifiable Probable Causes, the Respondents formed a Undisclosed Dual Agency Relationship with the Attorney Charles D. Best and Judges Oakley and Baird where the Attorney Charles D. Best and Judges Oakley and Baird Condoned, Supported, and Cooperated Within the Jim Crow Mechanics of a Constitutional Raping of all of the Petitioner's United States Guaranteed Constitutional Civil Rights, Liberties, and Freedoms as a Black Disabled United States American Citizen by allowing and permitting the Respondents to prosecute the Petitioner in a Jim Crow Kangaroo Court where the Respondents were in direct violation of Obstructing Federal Justice after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

Obstruction of Federal Justice and Perjury by Silence Before, On, and After January 13, 2003 Show Cause Order, (6) the

Respondents, the Attorney Charles D. Best, and Judges Oakley and Baird are all officers of the courts where the Respondents, the Attorney Charles D. Best, and Judges Oakley and Baird were all obligated by their oaths and duties to the United States Constitution as to disclose all knowledgeable and known material facts to the Federal Courts that would pertain to the status of events that led to **DEAD DOCKETING** this Federally Filed Lawsuit Case (1:02-CV-2197) **including a detail report of the Petitioner's wrongful Termination that occurred on the very same day of September 27, 2002** where the Respondents, the Attorney Charles D. Best, and Judges Oakley and Baird are all in direct violation of Obstructing Federal Justice and Perjury by Silence of not disclosing knowledgeable and known material facts before, on, and after January 13, 2003 after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

On February 12, 2003, (7) The Respondents were under an Undisclosed Dual Agency Relationship with the Attorney Charles D. Best and Judges Oakley and Baird while under these Undisclosed Dual Agency Relationships, the Attorney Charles D. Best Dismissed the Petitioner's August 08, 2002 Federally Filed Lawsuit Case (1:02-CV-2197) **without securing the Petitioner's Signature for Dismissal as "the Only Party of Consent" as the Lawsuit Creator**

and Originator while the Respondents, the Attorney Charles D. Best, and Judges Oakley and Baird are all conspirators that are in direct violation of Obstructing Federal Justice after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

Obstruction of Federal Justice and Perjury by Silence after August 19, 2004, (8) The Respondents and the Respondents' Attorneys **(Known as: G. Melton Mobley, Bryan K. Webb, Dennis R. Dunn, and Thurbert E. Baker)** continued with the Jim Crow Mechanics and Assaults of a Constitutional Raping upon the Petitioner's United States Guaranteed Constitutional Civil Rights, Liberties, and Freedoms as a Black Disabled United States American Citizen where the Respondents and the Respondents' Attorneys created the Respondents' Perjured Non-Existence September 10, 2001 lie and the Respondents' Perjured Non-Existence 180 days lie without submitting any evidences or proof whatsoever as to supporting these Perjured Non-Existence Lies **where the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia have allowed and permitted the Respondents and the Respondents' Attorneys to build the "the doctrine of res judicata" and "Judicial Immunity" on top of these Perjured Non-Existence Lies** where the Respondents and the Respondents' Attorneys as officers of the courts and have an obligation to submit or disclose the true to the Federal Courts concerning these Perjured Non-Existence Lies where the Respondents and the Respondents' Attorneys are all in direct violation of Obstructing Federal Justice and Perjury by Silence after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

The Petitioner has constantly explained to the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia that as a Georgia State Employee for more than 15 years **that the Petitioner's had a total of 300 E.E.O.C. Eligibility Days** that existed from **OCTOBER 22, 2001 to AUGUST 18, 2002 (28 U.S.C. &2403(a)).**

The Petitioner has constantly explained to the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia that as a Georgia State Employee for more 15 years **that the Petitioner's E.E.O.C. 90 days Right-To-Sue-Letter Eligibility** existed **from MAY 15, 2002 to AUGUST 13, 2002 (28 U.S.C. &2403(a)).**

The Petitioner has constantly explained to the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia that the Petitioner filed his Lawsuit in Federal Court on **AUGUST 08, 2002** that was filed within the legal filing limits of the E.E.O.C. 300 days and 90 days statues **that came under the Federal Judiciary Protection Powers of the Federal Court on and after August 08, 2002** where all of the Petitioner's Federally Filed Lawsuit Cases that were filed under this Federal Case (1:02-CV-2197) after August 19, 2004 **are filed under the Petitioner's August 08, 2002 Federally Filed Lawsuit (1:02-CV-2197)** where the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia have abandoned and deserted all of the Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII **(28 U.S.C. &2403(a)).**

The Petitioner have CONSTANTLY explained to the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia **that the GEORGIA STATE LAW OF UNDISCLOSED DUAL AGENCY and THE FEDERAL RETALIATION AND DISCRIMINATION LAWS OF THE E.E.O.C. AND THE UNITED STATES CONSTITUTION UNDER TITLES I, V, and VII** have **RESERVED** all rights of the Petitioner **to RESCIND** any and all transactions made under a Undisclosed Dual Agency Relationship including **the FEBRUARY 12, 2003 DISMISSAL OF THE PETITIONER'S AUGUST 08, 2002 LAWSUIT (1:02-CV-2197)** that does not bear the Petitioner's Signature for a Dismissal as **"THE ONLY PARTY OF CONSENT"** that makes the Petitioner's August 08, 2002 Lawsuit (1:02-CV-

2197) **a valid and enforceable lawsuit** where "the doctrine of res judicata" including "the granting of Judicial Immunity to the Respondents" **are both BARRED** by the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Law of the E.E.O.C. and the United State Constitution under Titles I, V, and VII where "the doctrine of res judicata" and "Judicial Immunity" **are Both BARRED and do not apply or exist** in any of the Petitioner's Federally Filed Lawsuit Cases that are filed under this Federal Case **(1:02-CV-2197)** where these facts can be used as evidences and proof that the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia have abandoned and deserted all of the Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII **(28 U.S.C. &2403(a)).**

Judges **LOIS OAKLEY and W. JOSEPH BAIRD** are Respondents within these Federally Filed Lawsuit Cases that are filed under this Federal Case (1:02-CV-2197) **where Judges Oakley and Baird are not eligible for Judicial Immunity** BECAUSE the Petitioner will argue that Judges Oakley and Baird **acted "In Clear Absence of All Jurisdiction"** while performing their Judiciary Duties under an Undisclosed Dual Agency Relationship after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

Judges Oakley and Baird deliberately, intentionally, unconstitutionally, and discriminatorily allowed themselves to participate within the Jim Crow Mechanics of a Constitutional Raping of all of the Petitioner's United States Guaranteed Constitutional Civil Rights, Liberties, and Freedoms as a Black Disabled United States American Citizen **where Judges Oakley and Baird acted outside of their Judicial Capacities after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) (28 U.S.C. &2403(a)).**

Judge Oakley and Baird aided and assisted the Respondents' assault of a Constitution Raping against the Petitioner with bogus employment changes that aided and assisted with Respondents' Criminal Conduct and Activities of (7) seven courts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

Judges Oakley and Baird are not eligible for Judicial Immunity **BECAUSE** Judges Oakley and Baird acted **"In Clear Absences of All Jurisdiction"** and where Judges Oakley and Baird **are both BARRED** by the **GEORGIA STATE LAW OF UNDISCLOSED DUAL AGENCY and THE FEDERAL RETALIATION AND DISCRIMINATION LAWS OF THE E.E.O.C. AND THE UNITED STATES CONSTITUTION UNDER TITLES I, V, and**

VII after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

In accordance with the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of E.E.O.C. and the United States Constitution under Titles I, V, and VII, the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia **CANNOT** grant **Judges OAKLEY AND BAIRD** Judicial Immunity where Judges Oakley and Baird acted "In Clear Absence of All Jurisdiction" where Judges Oakley and Baird are both not eligible for Judicial Immunity because Judges Oakley and Baird;

(1) have allowed these hearing proceedings to continue to Obstructing Federal Justice within this Federally Filed Lawsuit Case (1:02-CV-2197) without an Established Performance Management Plan (P.M.P.) or without any other justifiable Probable Causes after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(2) have allowed these hearing proceedings to continue as to Obstructing Federal Justice within this Federally Filed Lawsuit Case (1:02-CV-2197) outside of the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution

under Titles I, V, and VII after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a))**.

(3) have allowed these hearing proceedings to continue as to Obstructing Federal Justice within this Federally Filed Lawsuit Case (1:02-CV-2197) outside of all of the State of Georgia DOD Policies, Procedures, Guidelines, and Regulations in accordance with the unchanged and unaltered Regulation **that was issued by the National Guard Bureau Military Support Office** as **DSC-OPS-MS (190)** that gave the Petitioner the **AUTHORITY** and **DISCRETION** to schedule for himself and his employees **that made the bogus charge of unauthorized leave totally ridiculous and without any Merits to terminate the Petitioner's Employment from the State of Georgia** after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a))**.

It is absolutely clear that Judges Oakley and Baird are not eligible for Judicial Immunity Because Judges Oakley and Baird acted "In Clear Absence of All Jurisdiction" and where Judges Oakley and Baird **are both BARRED** by the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII after the

Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

The Petitioner Motions the Court for Justice and Equality of Receiving **"Equal Justice Under the Law"** because the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia CANNOT unconstitutionally or discriminatorily use "the doctrine of res judicata" including "the granting of Judicial Immunity" from the Respondents' Perjured Non-Existence September 10, 2001 Lie and the Respondents' Perjured Non-Existence 180 days Lie as **REASONS, GROUNDS or MERITS to Dismiss, Cover Up, or Justify** the Respondents' Criminal Conduct and Activities of (7) seven counts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

In Accordance with the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII, it is Unconstitutional and Discriminatory for the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia to abandon and desert all of the Laws of E.E.O.C. and the United States Constitution under Titles I, V, and VII while condoning, supporting, and cooperating within the Jim Crow Mechanics of a Constitutional Raping of all of the Petitioner's United States Guaranteed Constitutional Civil Rights, Liberties, and Freedoms as a Black Disabled United States American Citizen after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) that was filed within the legal filing limits of the E.E.O.C. 300 days and 90 days statues that came under the Federal Judiciary Protection Powers of the Federal Courts on and after August 08, 2002 **(28 U.S.C &2403(a)).**

The Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia have unconstitutionally and discriminatorily performed their Judicial Responsibilities as **"the Respondents' unofficial Attorneys and Lawyers"** in all of the Petitioner's Federally Filed Lawsuit Cases that are filed under this Federal Case (1:02-CV-2197) where the Petitioner is demanding **EQUAL REPRESENTATION FROM THE FEDERAL COURTS** in the area of support of the Georgia State Law of Undisclosed Dual Agency and Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII as to receiving **"Equal Justice under the Law" (28 U.S.C. &2403(a)).**

Absolutely, no DOD Georgia State Employee can be Terminated or EVALUATED

without an Established Performance Management Plan (P.M.P.) where a newly incoming supervisor must establish a P.M.P. with the Employee at the beginning of the Supervisor's Administration then immediately filed into the Employee's Personnel File **that was never Established before or after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197)**, and since the year 1995, the Petitioner has performed his duties under an unchanged and unaltered **REGULATION** that was issued to the Petitioner by the National Guard Bureau Military Support Office as **DCS-OPS-MS (190)** that gave the Petitioner the **AUTHORITY** and **DISCRETION** to schedule leave for himself and his employees that made the bogus charges of Unauthorized Leave totally ridiculous and without any Merits to terminate the Petitioner's Employment from the State of Georgia **because the only reason that the Respondents terminated the Petitioner's Employment from the State of Georgia on September 27, 2002** is because the Petitioner filed his lawsuit in Federal Court on August 08, 2002 **where this Federally Filed Lawsuit (1:02-CV-2197) was properly served upon the Respondents on September 27, 2002 by the Attorney Charles D. Best where on the very same day, the Petitioner was terminated from the State of Georgia** where the Petitioner has been unconstitutionally and discriminatorily forced into a poverty or impoverished situation by the Respondents as to survive without any Employment or Income while the Petitioner is in desperate need of Medical Attention and Surgery with his arm and elbow that the Respondents would not allow or permit to happen or occur within the months of September and October of 2002 after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

The Respondents terminated the Petitioner's Employment from the State of Georgia without an Established Performance Management Plan (P.M.P.) or without any other Justifiable Probable Causes **on September 27, 2002** as the very same day that the Respondents were properly served upon with the Petitioner's Lawsuit Complaint by the Attorney Charles D. Best **while the Petitioner was under the Doctor's Care and Treatment awaiting Surgery** after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

It is unconstitutional and discriminatory for the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia to Condone, Support, or Cooperate Within the Jim Crow Mechanics of a Constitutional Raping of all of the Petitioner's United States Guaranteed Constitutional Civil Rights, Liberties, and Freedoms as a Black Disabled United States American Citizen after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **that was**

filed within the legal filing limits of the E.E.O.C. 300 days and 90 days statues that came under the Federal Judiciary Protection Powers of the Federal Court on and after August 08, 2002 (1:02-CV-2197) (28 U.S.C. &2403(a)).

The Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia have been pretending as if they are totally incompetent of the Petitioner's facts and evidences as to Condoning, Supporting, and Cooperating within the Jim Crow Mechanics of a Constitutional Raping on the behalf of the Respondents' Criminal Conduct and Activities of (7) seven counts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **where the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia are fully aware that it is impossible for "the doctrine of res judicata" to apply or exist in any of the Petitioner's Federally Filed Lawsuit Cases THAT ARE FILED UNDER THIS FEDERAL CASE (1:02-CV-2197) (28 U.S.C. &2403(a)).**

Without submitting one thread of evidences or proof as to supporting the Respondents' Perjured Non-Existence September 10, 2001 Lie and the Respondents' Perjured Non-Existence 180 days Lie, **the Magistrate Judge, the District Judge, and the Appeal Judges herein the State**

of Georgia have accepted and adopted the Respondents' Perjured Non-Existence Lies as apart of the courts Opinions, Decisions, Orders, Judgments in all of the Petitioner's Federally Filed Lawsuit Cases that are filed under this Federal Case (1;02-CV-2197) (28 U.S.C. &2403(a)).

Any Perjured Non-Existence Lie that the Respondents have audacity as to submitting to the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia that pertains to the Petitioner's August 08, 2002 Federally Filed Lawsuit Case (1:02-CV-2197) as a Black Disabled United States American Citizen **will be accepted and adopted by the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia as apart of the courts Opinions, Decisions, Orders, and Judgments without the Respondents ever being required as to submitting any evidences or proof as to supporting and backing up any the Perjured Non-Existence Lies that have been submitted by the Respondents to the Federal Courts** where the Magistrate Judge, the District Judge, and Appeal Judges herein the State of Georgia have aided and assisted the Respondents' Criminal Conduct and Activities of (7) seven counts of Obstructing Federal Justice and (2) two counts of Perjured by unconstitutionally and discriminatorily aiding and assisting the

Respondents as to the building of "the doctrine of res judicata" and "Judicial Immunity" on top of all of these Perjured Non-Existence Lies after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) that was filed within the legal filing limits of the E.E.O.C. 300 days and 90 days statues that came under the Federal Judiciary Protection Powers of the Federal Courts on and after August 08, 2002 (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

CONCLUSION

The Petitioner is requesting that the United States Attorney **DAVID E. NAHMIAS** and the Assistant United State Attorney **MELAINE A WILLIAMS** investigate these (7) seven counts of Obstructing Federal Justice charges including (2) two counts of Perjury charges as to finding justifiable Probable Cause as to prosecuting all of the Respondents under these charges within the boundaries of the Petitioner's Federally Filed Lawsuit Cases (1:04-CV-2415, 1:05-CV-1303, 1:05-CV1781, and 1:05-CV-2274) that are filed under this Federal Case (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

The Petitioner was wrongfully, unconstitutionally, and discriminatorily terminated for exercising his United States Guaranteed Constitutional Civil Rights, Liberties, and Freedoms while he was on Authorized Leave and under the Doctor's Care and Treatment awaiting Surgery on September 27, 2002 **(28 U.S.C. &2403(a)).**

It is very clear and obvious to all Competent Jurisdictions that every-single-thing that the Respondents worked together as a team and did while under these Undisclosed Dual Agency Relationships as to sabotaging and derailing the Petitioner's ongoing E.E.O.C. Federally Filed Lawsuit Case (1:02-CV-2197) after the Petitioner had already filed his lawsuit in Federal Court on August 08, 2002 **were all retaliation acts of unconstitutional and discriminatory violations of Aggression of Obstructing Federal Justice** where the Petitioner filed his August 08, 2002 E.E.O.C. Federally Filed Lawsuit (1:02-CV-2197) in Federal Court within the legal filing limits of the E.E.O.C. 300 days and 90 days statues **that came under the Federal Judiciary Protection Powers of the Federal Courts on and after August 08, 2002** where it is unconstitutional and discriminatory for the Magistrate Judges, the District Judge, and Appeal Judges herein the State of Georgia to Condone, Support, or Cooperate Within the Jim Crow Mechanics of a Constitutional Raping of all of the Petitioner's United States Guaranteed Constitutional Civil Rights, Liberties, and Freedoms as a Black Disabled United States American Citizen where the Magistrate Judge, the District, and the Appeal Judges herein the State of Georgia **CANNOT** unconstitutionally or discriminatorily use "Res Judicata" or "Judicial Immunity" from the Respondents' Perjured Non-Existence September 10, 2001 Lie and the Respondents' Perjured Non-Existence 180 days Lie as Reasons, Grounds, or Merits to Dismiss, Cover Up, or Justify the Respondents' Criminal Conduct and Activities of (7) seven counts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

Absolutely all of the Respondents are all **BARRED** by State, Federal, and Constitutional Law and not eligible for "res judicata" and "Judicial Immunity" because the Petitioner's E.E.O.C. August 08, 2002 Lawsuit (1:02-CV-2197) **is a valid and enforce lawsuit** where all the Petitioner's Federally Filed Lawsuit Cases are filed under this Federal Case (1:02-CV-2197) as well as Judges Oakley and Baird **are both BARRED** and not eligible for "Judicial Immunity" Because Judges Oakley and Baird acted **"IN CLEAR ABSENCE OF ALL JURISDICTION"** that makes all future proceedings concerning all matters of the Petitioner's Federally Filed Lawsuit Cases that are Filed under this Federal Case (1:02-CV-2197) as being E.E.O.C. and United States Constitutional Matters under Titles I, V, and VII that should be argued inside a United States Courtroom **(28 U.S.C. &2197(a)).**

For all of the foregoing reasons explained above, Sgt. Emmett L. Williams' Petition for Certiorari should be granted and all of Unconstitutional and Discriminatory Decisions, Orders, and Judgments made against any of the Petitioner's Federally Filed lawsuit Cases that are filed under this Federal Case (1:02-CV-2197) should be vacated, reversed, and remanded that all future proceedings to be consistent with this action, **in the name of Justice Because Justice So Requires (28 U.S.C. &2403(a)).**

Respectfully Submits,

/s/ EMMETT L. WILLIAMS
Sgt. Emmett L. Williams
Pro-Se Litigant

APPENDIX

PAGES FROM: (1a. thru 27a.)

APPENDICES: (A THRU E)

The Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and United States Constitution under Titles I, V, and VII have **RESERVED** all rights of the Petitioner **to RESCIND** any and all transaction made under a Undisclosed Dual Agency Relationship including the February 12, 2003 Dismissal of the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) **that does not bear the Petitioner's Signature for Dismissal as "the Only Party of Consent" as the Lawsuit's Creator and Originator** that makes the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) **a valid and enforceable lawsuit** where it is unconstitutional and discriminatory for the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia to Condone, Support, or Cooperate Within the Jim Crow Mechanics of a Constitutional Raping where "Res Judicata" and "Judicial Immunity" **are both BARRED** by the Georgia State Law of Undisclosed Dual Agency and Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII where "Res Judicata" and "Judicial Immunity" **are both BARRED** and do not apply or exist in any of the Petitioner's Federal Filed Lawsuit Cases that are filed under this Federal Case (1:02-CV-2197) **BECAUSE** Judges Oakley and Baird are not eligible for "Res Judicata" or "Judicial Immunity" BECAUSE Judges Oakley and Baird acted **"IN CLEAR ABSENCE OF ALL JURISDICTION"** where Judges Oakley and Baird preformed their Judiciary Duties and Responsibilities under a Undisclosed Dual Agency Relationship outside of all of Georgia Policies, Procedures, Guidelines, and Regulations and outside of the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII **(28 U.S.C &2403(a)).**

APPENDIX A – FINAL REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE THAT CONDONE, SUPPORT, AND COOPERATE WITHIN THE JIM CROW MACHANICS OF A CONSTITUTION RAPING OF ALL OF THE PETITIONER'S UNITED STATES GUARANTEED CONSTITUTIONAL CIVIL RIGHTS AS A BLACK DISABLED UNITED STATES AMERICAN CITIZEN

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

SGT. EMMETT L. WILLIAMS

Plaintiff, CIVIL ACTION FILE

v. NO. 1:05-CV-2274-RLV-GGB

STATE OF GEORGIA, Department
Of Defense, National Guard
Headquarters, under Maj. Gen. DAVID
POYTHRESS, KENNETH WALDREP,
Chief Administrative Law Judge LOIS
OAKLEY; and Administrative Law Judge
W. JOSEPH BAIRD,

Defendants.

FINAL REPORT AND RECOMMENDATION

Plaintiff, who is proceeding without counsel, filed this action on August 31, 2005 against his former employers and several individuals associated with his termination from employment by the State of Georgia. Although the exact nature of plaintiff's allegations is unclear; He refers repeatedly to Title VII of the Civil Rights Act of 1964, 42 U.S.C. &2000e, et seq. ("Title VII"), and to his termination from employment by the State of Georgia in September 2002, (See Doc. 1). This action is presently before the court on three Motions to Dismiss (Doc. 3, 4, 5) filed by the Defendants. Plaintiff responded to the motion on September 28, 2005. (Doc. 6).

(The Petitioner's Footnote Comments and Argument: The Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United State Constitution under Titles I, V, and VII have **RESERVED** all rights of the Petitioner **to RESCIND** any and all transactions made under a Undisclosed Dual Agency Relationship including the February 12, 2003 Dismissal of the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) **that does not bear the Petitioner's Signature for Dismissal as "the Only Party of Consent" as the Lawsuit's Creator and Originator** that makes the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) a valid and enforceable lawsuit **where "the doctrine of res judicata" including "the granting of Judicial Immunity to the Respondents" are both Barred by the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII** where "the doctrine of res judicata" and "Judicial Immunity" **are both BARRED** and do not apply or exist in any of the Petitioner's Federally Filed Lawsuit Cases that are filed under this Federal Case (1:02-CV-2197) **(28 U.S.C. &2403(a))**.

For reasons discussed below, the undersigned **RECOMMENDS** that defendants' Motions to Dismiss (Docs. 3, 4, 5) be **GRANTED** and that this action be **DISMISSED with prejudice.**

I. BACKGROUND

To date, plaintiff has filed five civil actions in this court, all of which rely on Title VII and are related to his termination from employment by the State of Georgia. On

Appendix A

August 08, 2002, plaintiff, who was then represented by counsel, filed Civil Action No. 1:02-CV-2197-RLV ("Williams I") against the State of Georgia and two of its employees (Sandra Bruce and Raymond Faunt). After failing to serve process in a timely manner, plaintiff voluntarily dismissed Williams I (without prejudice) on February 12, 2003.

(The Petitioner's Footnote Comment and Argument: " The Respondents and the Attorney Charles D. Best **DEAD DOCKETED** this Federally Filed Lawsuit Case (1:02-CV-2197) on September 27, 2002 including the wrongful termination of the Petitioner's Employment from the State of Georgia where this Federally Filed Case was filed by the Petitioner on August 08, 2002 within the legal filing limits of the E.E.O.C. 300 days and 90 days statues that came under the Federal Judiciary Protection Powers of the Federal Courts on and after August 08, 2002 where a Judgment has never been rendered in this Federally Filed Lawsuit Case (1:02-CV-2197) **where the Petitioner's August 08, 2002 Lawsuit was never been properly Dismissed in accordance with the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII** where the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia **CANNOT** unconstitutionally or discriminatorily use **"the doctrine of res judicata"** including **"the granting of Judicial Immunity to the Respondents"** as Reasons, Grounds, or Merits to Dismiss, Cover Up, or Justify the Respondents Criminal Conduct and Activities of (7) seven counts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a))).**

On August 19, 2004, plaintiff (without the assistance of counsel) filed Civil Action No. 1:04-CV-2415-RLV ("Williams

II") against the State of Georgia and three of its employees (Ed Chamberlain, Sandra Bruce, and Raymond Faunt), making essentially the same allegations as in Williams I. On February 24, 2005, Judge Vining dismissed Williams II with prejudice because plaintiff had not filed it within 90 days of receiving notification from the Equal Employment Opportunity Commission of his right to sue under Title VII. Plaintiff filed anappeal on March 2005, which is still pending.

(The Petitioner's Footnote Comment and Argument: The Petitioner's August 08, 2002 Federally Filed Case (1:02-CV-2197) was properly **filed and served** within the legal limits of the laws of the E.E.O.C. and the United States Constitution on **August 08, 2002 and September 27, 2002** that was filed within the legal filing limits of the E.E.O.C. 300 days and 90 days statues **that came under the Federal Judiciary Protection Powers of the Federal Court on and after August 08, 2002** where the Respondents' Criminal Conduct and Activities that unconstitutionally and discriminatorily Raped the Petitioner of all of the Petitioner's United States Guaranteed Constitutional Civil Rights, Liberties, and Freedoms as a Black Disabled United States American Citizen where the Attorney Charles D. Best and the Respondents under an undisclosed Dual Agency Relationship sabotaged and derailed the Petitioner's ongoing Federally Filed Lawsuit Case (1:02-CV-2197) where the Attorney Charles D. Best and the Respondents **DEAD DOCKETED** this Federally Filed Lawsuit Case (1:02-CV-2197) **on September 27, 2002 on the very same day that the Respondents terminated the Petitioner's Employment from the State of Georgia** where the Attorney Charles D. Best and the Respondents proceeded by **DISMISSING** this Federally Filed Lawsuit Case (1:02-CV-2197) **without the Petitioner's Signature for Dismissal as "the Only Party of Consent" as the LAWSUIT'S CREATOR and ORIGINATOR** where the Petitioner has **RESCINDED** all transactions made under this Undisclosed Dual Agency Relationship **that makes the**

Appendix A

Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) a valid and enforceable lawsuit where "the doctrine of res judicata" including "the granting of Judicial Immunity to the Respondents" **are both Barred** by the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII **(28 U.S.C. &2403(a))).**

On May 17, 2005, plaintiff filed Civil Action No. 1:05-CV-1303-RLV ("Williams III") against the same defendants as in Williams II with the addition of General David Poythress (also an employee of the State of Georgia) and Charles D. Best (plaintiff's former attorney). On October 5, 2005, Judge Vining entered an order dismissing plaintiff's claims against all defendants with the exception of Mr. Best.

(The Petitioner's Footnote Comment and Argument: The Attorney Charles D. Best and the Respondents violated and broken State, Federal, and Constitutional Laws while knowing that the Petitioner's August 08, 2002 Federally Filed Lawsuit Case (1:02-CV-2197) was filed within the legal filing limits of the E.E.O.C. 300 days and 90 days statues that came under the Federal Judiciary Protection Powers of the Federal Courts on and after August 08, 2002 where the Magistrate Judge, the District Judge, and Appeal Judges herein the State of Georgia have Condoned, Supported, and Cooperated Within the Jim Crow Mechanics of a Constitutional Raping **Where the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia have dismissed all the Respondents on all charges while holding the Attorney Charles D. Best responsible when the Attorney Charles D. Best and the Respondents were all in on the same Undisclosed Dual Agency Conspiracy Relationship together against the Petitioner's August 08, 2002 Federally Filed Lawsuit Case (1:02-CV-2197) (28 U.S.C. &2403(a))).**

Appendix A

On July 7, 2005, plaintiff filed Civil Action No. 1:05-CV-1781-RLV ("Williams IV') against the State of Georgia and Gen. Poythress, as well as two previously unnamed defendants (Thomas H. Blackshock and James Bruno), both employees of the State of Georgia. Plaintiff's claims in Williams IV, like those in Williams I, II, and III, are related to his termination from employment in September 2002. Judge Vining entered an order dismissing Williams IV on September 27, 2005.

(The Petitioner's Footnote Comment and Argument; David Poythress is the Commander of the Facility, Thomas H. Blackshock is the Facility Manager of the Facility, and James Bruno is the Chief of Staff of the Facility as well as the Petitioner's Appointing Authority **where the DOD Georgia State Personnel Office CANNOT conduct a successful conspiracy operation against any State of Georgia DOD Employee's Constitutional Civil Rights without Poythress', Blackshock's, and Bruno's signatures of approvals** where David Poythress, Thomas H. Blackstock, and James Bruno are the only individuals that can sign off on a unjustifiable and unconstitutional termination without a P.M.P. that has terminated the Petitioner's Employment as a Black Disabled United States American Citizen where the Petitioner has served the DOD Department for more than 15 years without any prior discrepancies ever being mentioned, Noted, or Reported within any prior P.M.P. report documents within the Petitioner's entire History of Service with the DOD Department **where the Petitioner's termination does not possess an Established Performance Management Plan (P.M.P.) in the Employee's Personnel File where it is impossible for any DOD Georgia State Employee to be Terminated or Evaluated without an Established Performance Management Plan (P.M.P.)** where these three individuals are only individuals that could have authorized the Respondents' Criminal Conducts and Activities of (7) seven counts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing where all of the Respondents that are named within these Federally filed Lawsuit Cases that are filed under this Federal Case (1:02-CV-2197) are all directly related to all of these Federally Filed Lawsuit Cases that are filed under this Federal Case (1:02-CV-2197) (28 U.S.C. &2403(a))).

Finally, on August 31, 2005, plaintiff filed the instant action ("Williams V"), two of the defendants – the State of Georgia and Gen. Poythess – have been named in previous lawsuit. The three remaining defendants – Kenneth Waldrep, Judge Lois Oakley, and Judge W. Joseph Baird – are named for the first time in this lawsuit. Kenneth Waldrep is a State Judge Advocate for the Georgia Department of Defense and is identified by the plaintiff as the "prosecuting attorney". (Doc. 1 at 1; Doc. 5 at 12). Judge Baird is the State Administrative Law Judge who considered plaintiff's administrative complaint regarding his termination. Judge Oakley is the Chief Administrative Law Judge for the State.

(The Petitioner's Footnote Comment and Argument: The Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII have RESERVED all rights of the Petitioner to RESCIND any and all transactions made under a Undisclosed Dual Agency Relationship including the FEBRUARY 12, 2003 DISMISSAL OF THE PETITIONER'S AUGUST 08, 2002 LAWSUIT (1:02-CV-2197) that does not bear the Petitioner's Signature for a Dismissal as "the Only Party of Consent" as the Lawsuit's Creator and Originator that makes the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) a valid and enforceable lawsuit where "the doctrine of res judicata" and "Judicial Immunity" **are both BARRED** by the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII where "the doctrine of res judicata" and "Judicial Immunity" **are both BARRED** and do not apply or exist in any of the Petitioner's Federally Filed Lawsuit Cases that are filed under this Federal Case (1:02-CV-2197) **(28 U.S.C. &2403(a))**.

Judges Oakley and Baird are not eligible for Judicial Immunity **Because Judges Oakley and Baird acted "In Clear Absence of All Jurisdiction"** and where Judges Oakley and Baird are both BARRED by the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII **(28 U.S.C. &2403(a)).**

II. DISCUSSION

Defendants argue that plaintiff's claims against the State of Georgia, David Poythress, and Kenneth Waldrep are barred by res judicata, and that Judge Baird and Oakley are protected by judicial immunity. The court agrees.

(The Petitioner's Footnote Comment and Argument: It is unconstitutional and discriminatory for the Magistrate Judge, the District Judge, and Appeal Judges herein the State of Georgia to **CONDONE, SUPPORT, and COOPERATE WITHIN** the Jim Crow Mechanics of a Constitutional Raping of all of the Petitioner's United States Guaranteed Constitutional Civil Rights, Liberties, and Freedoms as a Black Disabled United States American Citizen **BECAUSE** after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) that was filed within the legal filing limits of the E.E.O.C. 300 days and 90 days statues that came under the Federal Judiciary Protection

Appendix A

Powers of the Federal Courts on and after August 08, 2002 **where "the doctrine of res judicata" including "the granting of Judicial Immunity to the Respondents" are both BARRED by the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII (28 U.S.C. &2403(a).**

A. Res Judicata

"The doctrine of res judicata, or claim preclusion, forecloses relitigation of matters actually or potentially in an earlier lawsuit. **The doctrine applies only if four elements are present: 1) there is a Final Judgment on the Merits of the first action, 2) the first decision is rendered by a court of competent jurisdiction, 3) the parties to both actions, or those in privity with them, are identical, and 4) the causes of action in both suits are identical".** Richard v. Alabama State Bd. of Educ., 935 F. 2d 1240, 1244 (11th Cir. 1991) (citation omitted). The first two factors are plainly present in this case. Final judgments have been entered in Williams II and IV by a count of competent jurisdiction.

(The Petitioner's Footnote Comment and Argument: The Respondents unconstitutionally and discriminatorily sabotaged and derailed the Petitioner's ongoing Federally Filed Lawsuit Case (1:02:CV-2197) where the Respondents violated (7) seven counts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) where the Respondents unconstitutionally and discriminatorily violated and broken State, Federal, and Constitutional Laws where it is unconstitutional and discriminatory for the Magistrate Judge, the District Judge, and the Appeals Judges herein the State of Georgia to use "the doctrine of res judicata' including "the granting of Judicial Immunity" from the Respondents' Perjured Non-Existence September 10, 2001 Lie and the Respondents Perjured Non-Existence 180 days Lie as Reasons, Grounds, or Merits to Dismiss, Cover Up, or Justify the Respondents' Criminal Conduct and Activities of (7) seven counts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) (28 U.S.C. &2403(a))).

With respect to the third factor, it plainly applies to the State of Georgia and Gen. Poythress, who were defendants in Williams II and/or Williams IV. It also applies to Col. Waldrap, although he was not a defendant in Williams II and IV, because he is in privity with the State of Georgia for purposes of plaintiff's Title VII claims.(See Pelletier v. Zweifel, 921 F.2d 1465, 1502 (11th Cir. 1991) ("Where.....the relations between two parties are analogous to that of principal and agent, the rule is that a judgment in favor of either, in an action brought by a third party, rendered upon a ground equally applicable to both, is to be accepted as conclusive against the plaintiff's right of action against another.") (internal quotation marks omitted); Womack v. American Telephone & Telegraph Co., 982 F.Supp. 1460, 1463 (M.D.Ala 1997) (applying res judicata in favor of employees of the plaintiff's employer in a Title VII case), John Street Leasehold, LLC v. Capital Management Resources, LP, 283 F.3d 73, 75 (2d Cir. 2002) (finding employees in privity with employer).

Appendix A

Finally, with respect to the fourth factor required for application of res judicata – identify of the causes of action – to the extent plaintiff's complaint in Williams V could be construed as containing claims a raise from the same nucleus of operative fact – the circumstances surrounding plaintiff's termination. See, e.g., Kaspar Wire Works, Inc. V. Leco Eng's & Mach., Inc., 575 F.2d 530, 535 (5thCir. 1978) (finding that claim preclusion "extends to litigation of all issues relevant to the same claim between the same parties, whether or not raised at trial"); Israel Discount Bank Ltd. V. Entin, 951 F. 2d 311, 315 (11th Cir. 1992) ("In general, cases involve the same cause of action for purposes of res judicata if the present case 'arises out of the same nucleus of operative fact, or is based upon the same factual predicate, as a former action.").

(The Petitioner's Footnote Comment and Argument: The Respondents were properly served by the Attorney Charles D. Best on September 27, 2002 on the very same day that the Respondents Obstructed Federal Justice and terminated the Petitioner's Employment from the State of Georgia without any justifiable Probable Causes where the Respondents sabotaged and derailed the Petitioner's ongoing Federally Filed Lawsuit Case (1:02-CV-2197) with a total of (7) seven counts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing where the Respondents violated and broken State, Federal, and Constitutional Laws **(28 U.S.C. &2403(a))).**

B. Judicial Immunity

As judicial officers, Judges Oakley and Baird are absolutely immune from liability for acts performed in their judicial capacity, even if they performed those acts maliciously. Harris v. Deveaux, 780 F. 2d 911, 914 (11th Cir. 1986). Only if a judge acts "in the clear absence of all jurisdiction," will he or she be ineligible for immunity. Harris, 780 F. 2d at 914 (quoting Stump V. Sparkman, 435 U.S. 349, 367, 98 S.Ct 1099, 1105, 55 L. Ed. 2d 331 (1978)). Nothing in plaintiff's allegations indicates that Judge Oakley or Baird acted outside their judicial capacities. For this reason, they are entitled to absolute judicial immunity.

(The Petitioner's Footnote Comment and Argument: The Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia **CANNOT grant** Judges Oakley and Baird judicial immunity where Judges Oakley and Baird deliberately, intentionally, unconstitutionally, and discriminatorily allowed themselves to participate within the Jim Crow Mechanics of a Constitutional Raping of all of the Petitioner's United States Guaranteed Constitutional Civil Rights, Liberties, and Freedoms as a Black Disabled United States American Citizen where Judges Oakley and Baird participated within the Respondents' (7) seven counts of Obstructing Federal Justice and (2) counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **where Judges Oakley and Baird operated under an illegal, unlawful, unconstitutional, and discriminatory UNDISCLOSED DUAL AGENCY RELATIONSHIP with the Respondents' Criminal Conduct and Activities of (7) seven counts of Obstructing Federal Justice and (2) two Counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing where Judges Oakley and Baird ACTED " IN THE CLEAR ABSENSE OF ALL JURISDICTION,"** where Judges Oakley and Baird **are not eligible for Judicial**

Appendix A

Immunity in any of the Petitioner's Federally Filed Lawsuit Cases that is filed under this Federal Case (1:02-CV-2197) **BECAUSE** "the doctrine of res judicata" including "the granting of immunity of any kind to the Respondents" including Judges Oakley and Baird are both **BARRED** by the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII where Judges Oakley and Baird acted in clear absence of all Jurisdiction; **1)** by allowing these hearings proceedings to continue **as to Obstructing Federal Justice within this Federally Filed Lawsuit Case (1:02-CV-2197)** while knowing that an August 08, 2002 Federally Filed Lawsuit was pending in Federal Court against the Respondents **(28 U.S.C. &2403(a))**, **2)** by allowing these hearings proceedings to continue **as to Obstructing Federal Justice with this Federally Filed Lawsuit Case (1:02-CV-2197)** outside of the Georgia State Law of Undisclosed Dual Agency after the Petitioner's August 08, 2002 Lawsuit Filing **(28 U.S.C. &2403(a))**, **3)** by allowing these hearings proceedings to continue **as to Obstructing Federal Justice within this Federally Filed Lawsuit Case (1:02-CV-2197)** outside of the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a))**, **4)** by allowing these hearings proceedings to continue **as to Obstructing Federal Justice within this Federally Filed Lawsuit Case (1:02-CV-2197)** outside of Georgia DOD Policies, Procedures, Guidelines, and Regulations **that is governed by the Georgia Performance Management Process** where the Respondents were required to deliver from the Employee's Personnel File at the beginning of these proceedings to the Judges Oakley and Baird where Judges Oakley and Baird have made obvious that they have Condoned, Supported, and Cooperated within the Jim Crow Mechanics of a Constitutional Raping without a P.M.P. or without any other Justifiable Probable Causes after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a))**, **5)** by allowing these hearings proceedings to continue **as to Obstructing Federal Justice with this Federally Filed**

Lawsuit Case (1:02-CV-2197) with a Bogus Decision made by Judges Oakley and Baird under this undisclosed Dual Agency Relationship against **the Petitioner's 1995 DCS-OPS-MS (190) Regulated Job Description that was issued to the Petitioner by the National Guard Bureau Military Support Office** that gave the Petitioner the Authority and Discretion to schedule leave for himself and his employees that made the Bogus Change of Unauthorized Leave totally ridiculous and without any Merits to Terminate the Petitioner's Employment from the State of Georgia especially without an Established Performance Management Plan (P.M.P.) **where Judges Oakley and Baird have ACTED "IN THE CLEAR ABSENCE OF ALL JURISDICTION," where Judges Oakley and Baird are not eligible for Judicial Immunity in any of the Petitioner's Federally Filed Lawsuit Cases that are filed under this Federal Case (1:02-CV-2197) (28 U.S.C. &2403(a))).**

III. LIMITATIONS ON FUTURE LAWSUITS

In light of the fact that plaintiff has repeatedly filed frivolous lawsuits against the State of Georgia and others, defendants seek an order barring plaintiff from filing additional lawsuits without first obtaining the court's permission. (Doc. 5, Brief at 16, citing Cofield v. Ala. Public Serv. Com'n, 936 F2d 512, 518 (11th Cir. 1991)). The undersigned recommends that a slightly different approach be taken. See Cofield, 936 F.2d at 518 ('the courts may take other, more creative, actions to discourage hyperaction litigators as long as some access to the courts is allowed'). Specifically, plaintiff should be required to attach a copy of the district court's order regarding this matter to any futurn complaints he files against one or more of the defendants named in Williams I, II, III, IV, and V. Furthermore, in the event plaintiff files such a complaint, the named defendants should be relieved of their obligation to file an answer until and unless the court determines that one or more of the claims are not barred.

(The Petitioner's Footnote Comment and Argument: The Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia have all abandoned and deserted all of the Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII where the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia have all acted in the capacity of the Respondents' unofficial Attorneys or Lawyers because the Magistrate Judge, the District Judge, the Appeal Judges herein the State of Georgia have all unconstitutionally and discriminatorily refused to **ACKNOWLEDGE** or **CONFIRM** any material facts that would aid the Petitioner's Case as a Black Disabled United States American Citizen where they have refused to **ACKNOWLEDGE** or **CONFIRM** that the Petitioner was a Georgia State Employee for more than 15 years with a total of 300 E.E.O.C. Filing days in according to United States Constitution under Titles I, V, and VII **that existed from October 22, 2001 to August 18, 2002** where they have refused to **ACKNOWLEDGE** or **CONFIRM** that the Petitioner was still employed by the State of Georgia on **August 08, 2002 upon the Petitioner filed his Lawsuit in Federal Court (28 U.S.C. &2403(a)).**

IV. CONCLUSION

For the reasons stated, the undersigned **RECOMMENDS** that defendant's Motions to Dismiss (Docs., 3, 4, 5) be **GRANTED** and that this action be **DISMISSED with prejudice.** The undersigned further **RECOMMENDS** that Judge Vining enter an order stating essentially the following:

Appendix A

Plaintiff Emmett L. Williams is hereby ORDERED to attach a copy of this order to all civil actions (if any) he files in the future against the State of Georgia, Sandra Bruce, Raymond Faunt, Ed. Chamberlain, David Poythress, Charles D. Best, Thomas H. Blackshock, James Bruno, Kenneth Waldrep, Lois Oakley, or W. Joseph Baird. The Clerk of the Court is DIRECTED to refer any such actions filed by plaintiff to Magistrate Judge Gerrilyn G. Brill. Judge Brill will consider whether the claims raised in plaintiff's complaint are barred by res judicata and/or judicial immunity. The named defendants will not be require to file an answer, or to otherwise respond to the complaint, unless directed to do so by Judge Brill. If the action is barred by res judicata and/or judicial immunity, it will be summarily dismissed by the court.

IT IS SO RECOMMENDED, this 14th day of October, 2005.

/s/ Gerrilyn G. Brill
GERRILYN G. BRILL
UNITED STATES MAGISTRATE JUDGE

APPENDIX B – THE UNCONSTITUTIONAL AND DISCRIMINATORY NOVERMBER 28, 2005 DISTRICT JUDGE'S ORDER THAT WAS RECOMMENDED BY THE MAGISTRATE JUDGE THAT HAS CONDONE, SUPPORT, AND COOPERATE WITHIN THE JIM CROW MECHANICS OF A CONSTITUTIONAL RAPING

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED IN CHAMBER
U.S.D.C.
NOV. 28 2005
LUTHER D. THOMAS, Clerk
BY: JILL HANNAH, Deputy Clerk

SGT. EMMETT L. WILLIAMS,

Plaintiff,

v.

STATE OF GEORGIA, Department of Defense, National Guard Headquarters, under Maj. Gen. DAVID POYTHRESS; KENNETH WALDREP; Chief Administrative Law Judge LOIS OAKLEY, and Administrative Law Judge W. JOSEPH BAIRD,

Defendants.

CIVIL ACTION

No. 1:05-CV-2274-RLV

ORDER

After carefully considering the report and recommendation of the magistrate judge, together with the objections thereto, the court receives it with approval and adopts it as the opinion and order of this court,

Because, as noted by the magistrate judge, the plainiff has filed numerous lawsuits arising out of termination by the State of Georgia, all of which have been dismissed, the court will follow the magistrate judge's recommendation with respect to future lawsuits that might be filed by the plaintiff.

The plaintiff, Emmett L. Williams, is hereby ORDERED to attach a copy of this order to all civil action (if any) he files in

Appendix B

the future against the State of Georgia, Sandra Bruce, Raymond Faunt, Ed. Chamberlain, David Poythress, Charles D. Best, Thomas H. Blackshock, James Bruno, Kenneth Waldrep, Lois Oakley, or W. Joseph Baird. The Clerk of the Court is directed to refer any such actions filed by the plaintiff to Magistrate Judge Gerrilyn G. Brill. Judge Brill will consider whether the claims raised in the plaintiff's complaint are barred by res judicata and/or judicial immunity. The named defendants will not be required to serve or file an answer, or to otherwise respond to the complaint, unless directed to do so by Judge Brill. If the action is barred by res judicata and/or judicial immunity, it will be summarily dismissed by the court.

SO ORDERED, this 28th day of November, 2005.

/s/ Robert L. Vinning, Jr.
ROBERT L. VINING, JR.
Senior United States District Judge

(The Petitioner's Footnote Comment and Argument; It is unconstitutional and discriminatory for the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia to Condone, Support, or Cooperate Within the Jim Crow Mechanics of a Constitutional Raping of all of the Petitioner's United States Guaranteed Constitutional Civil Rights, Liberties, and Freedoms as a Black Disabled United States American Citizen after the Petitioner filed his lawsuit in Federal Court on August 08, 2002 that was filed within the legal filing limits of the E.E.O.C 300 days and 90 days statues that came under the Federal Judiciary Protection Powers of the Federal Courts on and after August 08, 2002 where **"doctrine of res judicata"** including **"the granting of Judicial Immunity" are both BARRED by the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws**

Appendix B

of the E.E.O.C. and the United States Constitution under Titles I, V, and VII where the Georgia State Law of undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII have **RESERVED** all the rights of the Petitioner to **RESCIND** any and all transactions made under a Undisclosed Dual Agency Relationship including the February 12, 2003 Dismissal of the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) **that does not bear the Petitioner's Signature as "the Party of Consent" as the Lawsuit's Creator and Originator.**

Judges Oakley and Baird are not eligible for Judicial Immunity where the Petitioner can prove beyond any shadows of any doubts that Judges Oakley and Baird acted **"IN CLEAR ABSENCE OF ALL JURISDICTION"** while performing their duties under a Undisclosed Dual Agency Relationship after the Petitioner's August 08, 2002 Lawsuit Filing where Judges Oakley and Baird deliberately, intentionally, unconstitutionally, and discriminatorily allowed themselves to participate within the Jim Crow Mechanics of a Constitutional Raping where Judges Oakley and Baird acted outside their Judicial capacities after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) where Judges Oakley and Baird are charged by the Petitioner with "participating within the Respondents' Jim Crow Mechanics of a Constitutional Raping of (7) seven counts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing" **where the Judges Oakley and Baird are not eligible for Judicial Immunity** because Judges Oakley and Baird **are both BARRED** by the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and United States Constitution under Titles I, V, and VII **(28 U.S.C. &2403(a)).**

APPENDIX C – THE UNCONSTITUTIONAL AND DISCRIMINATORY NOVEMBER 29, 2005 DISTRICT JUDGE'S JUDGMENT THAT CONDONE, SUPPORT, AND COOPERATE WITHIN THE JIM CROW MECHANICS OF A CONSTITUTIONAL RAPING

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

SGT. EMMETT L. WILLIAMS

Plaintiff, CIVIL ACTION FILE

vs. No. 1:05-cv- 2274-RLV

STATE OF GEORGIA, Department of
Defense, National Guard Headquarters,
Under Maj. Gen. DAVID POYTHRESS;
KENNETH WALDREP, Chief
Administrative Law Judge LOIS OAKLEY
and Administrative Law Judge W.
JOSEPH BAIRD,

Defendants.

JUDGMENT

This action having come before the court, the Honorable Robert L. Vinning, Jr., United States Judge, for consideration of the magistrate judge's report and recommendation granting Defendants' Motions to Dismiss, and the Court having adopted the same, it is Ordered and Adjudged that this action be, and the same hereby is dismissed Dated at Atlanta, Georgia , this 28th day of November, 2005.

LUTHER D. THOMAS
CLERK OF COURT

By: s/ Jill Hannah
Deputy Clerk

Appendix C

Prepared, Filed, and Entered
In the Clerk's Office
November 29, 2005
Luther D. Thomas
Clerk of Court

By: s/ Jill Hannah
Deputy Clerk

(The Petitioner's Footnote Comment and Argument: It is unconstitutional and Discriminatory for the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia to Condone, Support, or Cooperate Within the Jim Crow Mechanics of a Constitutional Raping because the Petitioner filed his Lawsuit in Federal Court on August 08, 2002 (1:02-CV-2197) that was filed within the legal filing limits of the E.E.O.C. 300 days and 90 days statues that came under the Federal Judiciary Protection Powers of the Federal Courts on and after August 08, 2002 where it is unconstitutional and discriminatory for the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia to abandon and desert all of Laws of E.E.O.C. and the United States Constitution under Titles I, V, and VII where the Magistrate Judge, District Judge, and Appeal Judges herein the State of Georgia have refused to enforce the Georgia State of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Title I, V, and VII around the Petitioner as a Black Disabled United States American Citizen **(28 U.S.C. &2403(a))).**

APPENDIX D - THE UNCONSTITUTIONAL AND DISCRIMINTORY JUNE 20, 2006 APPEAL DISMISSAL THAT HAVE CONDONED, SUPPORTED, AND COOPERATED WITHIN THE JIM CROW MECHANICS OF A CONSTITUTIONAL RAPING

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
JUN 20 2006
THOMAS R. KAHN
CLERK

No. 05-17046
Non-Argument Calendar

D. C. Docket No. 05-02274-CV-RLV-1

SGT. EMMETT L. WILLIAMS,

Plaintiff – Appellant,

versus

KENNETH R. WALDREP,
Under Maj. Gen. David Poythress,
Individually and in his official and full
Capacity as the State of Georgia DOD
Prosecuting Attorney,
W. JOSEPH BAIRD, Individually and
In his official and full capacity as the
Administrative Law Judge under
LOIS OAKLEY, Chief Law Judge,

Defendants – Appellees.

Appeal from the United State District Court
For the Northern District of Georgia

Before TJOFLAT, BLACK, and MARCUS, Circuit Judges.

PER CURIAM:

This is Emmett L. Williams' fourth appearance in this Court. The defendants in this suit either were defendants in one of Williams' prior employment discrimination actions are parties in privity with defendants in those actions. We previously affirmed the district court's dismissal with prejudice of one of Williams' actions based on his failure to bring the action within 90 days of his receipt of the EEOC's right-to-sue letter See Williams v. Georgia Dep't of Defense, No. 05-11275, man. Op. at 3 – 4 (11th Cir. Aug. 31, 2005) (unpublished) ("Williams II"). Thereafter, Williams filed appeals from the district court's dismissal of two other actions based on res judicata. We dismissed the first appeal for lack of jurisdiction. Williams v. State of Georgia, No. 05-15760 (11th Cir January 11, 2006) ("Williams III"). And we dismissed another appeal as frivolous, based on Williams' argument which concerned only the underlying merits of his claims and failed to address the district court's res judicata analysis. Williams v. State of Georgia. No. 05-15648 (11th Cir. March 31, 2006) ("Williams IV").

In this appeal, "Williams V", as in Williams IV, Williams does not address the reasons why the district court granted Appellees' motion to dismiss the complaint—that claims are barred by res judicata. Instead, Williams argues that his Title VII claims were meritorious and should not have been dismissed. The Merits of Appellant's Title VII claims are not properly before the Court. Accordingly, this appeal is hereby DISMISSED as being frivoluous and entirely lacking in merit. See 11th Cir. R. 42-4. The clerk is directed to close the file on appeal.

DISMISSED.

Appendix D

(The Petitioner's Footnote Comment and Argument: The Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia have Condoned, Supported, and Cooperated Within the Jim Crow Mechanics of a Constitutional Raping where the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia have unconstitutionally and discriminatorily performed their duties as **"the Respondents unofficial Attorneys and Lawyers"** in all of the Petitioner's Federally Filed Lawsuit Cases that are filed under this Federal Case (1:02-CV-2197) **where the Petitioner DEMANDS EQUAL REPRESENTATION as a Black Disabled United States American Citizen as to receiving "EQUAL JUSTICE UNDER THE LAW" (28 U.S.C. &2403(a)).**

The Petitioner's **E.E.O.C. 300 days eligibility** as a Georgia State Employee for more than 15 years existed from **OCTOBER 22, 2001 to AUGUST 18, 2002** where this is evidences that the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia have all abandoned all of the Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII **(28 U.S.C. 2403(a)).**

The Petitioner's **E.E.O.C. 90 days right-to-sue-letter eligibility** as a Georgia State Employee for more than 15 years existed from **MAY 15, 2002 to AUGUST 13, 2002** where this is evidences that the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia have all abandoned all of the Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII **(28 U.S.C. &2403(a)).**

The Petitioner filed his Lawsuit on August 08, 2002 that was filed within the legal filing limits **of the E.E.O.C. 300 days and 90 days statues** that came under the Federal Judiciary Protection Powers of the Federal Courts **on and after August 08, 2002** where this is evidences that the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia have all abandoned all of the Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII **(28 U.S.C. &2403(a)).**

Appendix D

THE GEORGIA STATE LAW OF UNDISCLOSED DUAL AGENCY and THE FEDERAL RETALIATION and DISCRIMINATION LAWS OF THE E.E.O.C. and THE UNITED STATES CONSTITUTION UNDER TITLES I, V, and VII have **RESERVED** all of the rights of the Petitioner **to RESCIND** any and all transactions made under a Undisclosed Dual Agency Relationship including the February 12, 2003 Dismissal of the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) **that does not bear the Petitioner's Signature for Dismissal as being "the Only Party of Consent" as the Lawsuit's Creator and Originator that makes the Petitioner's August 08, 2002 Federally Filed Lawsuit (1:02-CV-2197) a valid and enforceable lawsuit** where "the doctrine of res judicata" including "the granting of immunity of any kind to the Respondents" **are both BARRED by the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII** where "the doctrine of res judicata" including "the granting of immunity of any kind to the Respondents" **are both BARRED** and do not apply or exist in any of the Petitioner's Federally Filed Lawsuit Cases that are filed under this Federal Case **(1:02-CV-2197)** where this is evidences that the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia have all abandoned all of the Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII **(28 U.S.C. &2403(a)).**

APPENDIX E – THE UNCONSTITUTIONAL AND DISCRIMINATORY AUGUST 24, 2006 APPEAL COURT'S DENIAL OF THE PETITIONER'S REQUEST FOR AN EN BANC HEARING WHERE THE MAGISTRATE JUDGE, THE DISTRICT JUDGE, AND THE APPEAL JUDGES HEREIN THE STATE OF GEORGIA HAVE CONDONED, SUPPORTED, AND COOPERATED WITHIN THE JIM CROW MECHANICS OF A CONSTITUTIONAL RAPING

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 05-17046-BB

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
AUG 24 2006
THOMAS K. KAHN
CLERK

SGT. EMMETT L. WILLIAMS,

Plaintiff-Appellant

versus

KENNETH R. WALDREP,
Under Maj. Gen. David Poythress,
Individually and in his official and full
Capacity as the State of Georgia DOD
Prosecuting Attorney,
W. JOSEPH BAIRD,
Individually and in his official and full
Capacity as the Administrative Law Judge
Under LOIS OAKLEY, Chief Law Judge,

Defendants-Appellees

Appeal from the United States District Court for the
Northern District of Georgia

Before TJOFLAT, BLACK, and MARCUS, Circuit Judges.

BY THE COURT:

Appellant's motion for reconsideration of Order June 20, 2006, dismissing the appeal, is /s/ denied.

Appendix E

(The Petitioner's Footnote Comment and Argument: The GEORGIA STATE LAW OF UNDISCLOSED DUAL AGENCY and-THE FEDERAL RETALIATION and DISCRIMINATION LAWS OF THE E.E.O.C. and THE UNITED STATES CONSTITUTION UNDER TITLES I, V, and VII have RESERVED all the rights of the Petitioner to RESCIND any and all transaction made under and Undisclosed Dual Agency Relationship including the February 12, 2003 Dismissal of the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) **that does not bear the Petitioner's Signature for a Dismissal as being "the Only Party of Consent" as the Lawsuit's Creator and Originator** that makes the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) a valid and enforceable lawsuit where "the doctrine of res judicata" including "the granting of immunity of any kind to the Respondents" **are both BARRED** by the Georgia State Law of Undisclosed Dual and Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII where "the doctrine of res judicata" including "the granting of immunity of any kind to the Respondents" **are both BARRED** and do not apply or exist in any of the Petitioner's Federally Filed Lawsuit Cases that are filed under this Federal Case (1:02-CV-2197) where It is clear that Judges Oakley and Baird have **ACTED "IN THE CLEAR ABSENCE OF ALL JURISDICTION"**, where Judges Oakley and Baird are not eligible for Judicial Immunity in any of the Petitioner's Federally Filed Lawsuit Cases that are filed under this Federal Case (1:02-CV-2197) **(28 U.S.C. &2403(a))).**

SEPARATE APPENDIX

PAGES FROM: (28a. thru 79a)
APPENICES: (F THRU Z)

It is very clear and obvious to all Competent Jurisdictions that every-single-thing that the Respondents worked together as a team and did while under these Undisclosed Dual Agency Relationships as to sabotaging and derailing the Petitioner's ongoing E.E.O.C. Federally Filed Lawsuit Case (1:02-CV-2197) after the Petitioner had already filed his lawsuit in Federal Court on August 08, 2002 **were all retaliation acts of Unconstitutional and Discriminatory violations of Aggression of Obstructing Federal Justice** where the Petitioner filed his August 08, 2002 E.E.O.C. Federally Filed Lawsuit (1:02-CV-2197) in Federal Court within the legal filing limits of the E.E.O.C. 300 days and 90 days statues **that came under the Federal Judiciary Protection Powers of the Federal Courts on and after August 08, 2002** where it is unconstitutional and discriminatory for the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia to Condone, Support, or Cooperate Within the Jim Crow Mechanics of a Constitutional Raping of all of the Petitioner's United States Guaranteed Constitutional Civil Rights, Liberties, and Freedoms as a Black Disabled United States American Citizen where the Magistrate Judge, the District Judge, and Appeal Judges herein the State of Georgia **CANNOT** unconstitutionally or discriminatorily use "Res Judicata" and Judicial Immunity" from the Respondents' Perjured Non-Existence September 10, 2001 Lie and the Respondents' Perjured Non-Existence 180 days Lie as Reasons, Grounds, and Merits to Dismiss, Cover Up, or Justify the Respondents' Criminal Conduct and Activities of (7) seven counts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. 2403(a)).**

APPENDIX F – THIS BILLING STATEMENT CONFIRMS THAT THE PETITIONER HAD A MEDICAL EMERGENCY WITH HIS ARM AND ELBOW ON OCTOBER 06, 2001 WHILE STILL EMPLOYED WITH STATE OF GEORGIA DOD WITH 300 DAYS FILING STATUTORY ENTITLEMENT

180009-02 DATE 2/26/02

DEKALB COUNTY EMS
PO BOX 116176
ATLANTA, GA 30368

ACCOUNT
NUMBER 180009-02

AMOUNT PAID $ ________

OUR TOLL FREE PHONE NUMBER IS 1-866-258-3520
PLEASE DIAL NUMBER AS SHOWN

EMMETT WILLIAMS
10 TREE VIEW DRIVE A
APT A

DEKALB COUNTY EMS
PO BOX 116176
ATLANTA, GA 30368

TO INSURE PROPER CREDIT TO YOUR ACCOUNT – PLEASE DETACH AND RETURN THIS STUB WITH YOUR CHECK

PATIENT NAME: EMMETT WILLIAMS **PLACE OF SERVICE:** DMS
PHONE NUMBER:
REFERRING DR.:

DATE	DESCRIPTION OF SERVICE	CHARGES	PAYMENTS
10 /06 /01	EMS TRANSPORT	300.00	
	MILEAGE CHARGES 8.0@ 6.50	52.00	

****

YOU HAVE MEDICARE, MEDCAID, OR ANY PRIVATE INSURANCE

1. PLEASE CALL US, OR COMPLETE THE INSURANCE FORM ON THE FRONT AND BACK OF THIS STATEMENT. A COPY OF YOUR HEALTH INSURANCE CARD IS HELPFUL.
2. MAIL IT BACK TO US IN THE WHITE ENVELOPE PROVIDED AND WE WILL FILE A CLAIM ON YOUR BEHALF.
3. YOU MAY ALSO SEND YOUR INSURANCE THRU OUR WEBSITE WWW EMSCLAIMS. COM

IF YOU DO NOT HAVE MEDICARE, MEDICAID, OR ANY PRIVATE INSURANCE, PLEASE PAY THE AMOUNT INDICATED. PAYMENT PLANS CAN BE ARRANGED TO ASSIST YOU BY CONTACTING OUR OFFICE AT 1-866-258-3520.

****

PAY THIS AMOUNT 352.00

APPENDIX G – THIS IS THE COMPLAINT THAT THE PETITIONER PLACED IN THE MAIL TO THE G.C.E.O. ON OCTOBER 17, 2001 WHILE STILL EMPLOYED BY THE STATE OF GEORGIA DOD WITH 300 DAYS FILING STATUTORY ENTITLEMENT

GCEO No.: _____
EEOC No.: _____
Fields in this box to be completed
Only by GCEO officials

Due to a very serious fall and injury, I have placed this document In the mail on 17 October 2001 and requesting that it be filed immediately upon receipt.

Thanks,
E.L.W.

Employment Discrimination Complaint

Georgia Commission on Equal Opportunity

Please type or print legibly. Please note that attachments will not be accepted as a substitute for completion of this form.

1. Complainant Information

Emmett	L.	Williams
First Name	Middle Initial	Last Name

10 Treeview Drive, Unit A
Street Address

Unit A
Apartment, Post Office Box, Route Number, etc.

Lithonia, Georgia 30038	7/808-0563
City, State and ZIP code	Home Telephone Number
4/624-6010	n/a
Work Telephone Number	Cell Telephone Number

2. Respondent Information (Please fill in the contact information for the agency that allegedly discriminated against you.)

The Department of Defense / The DOD Personnel Office
Agency Name

Appendix G

935 East Confederate Avenue
Agency Street Address

Atlanta, Georgia 30316
Agency Street Address

4/624-6000 or 6044
Agency Phone Number

3. Issues

Please check only those issues that reflect adverse employment action (s) taken against you within the last 180 days. Please include the relevant date(s) upon which you first became aware the action(s) had been taken in the space marked "Date of Action(s)." Please use month/date /year format for all dates.

( ) Discharge ( ) Laid Off ( ) Forced Resignation/Retirement

Your job title at the time of the action(s): **Senior Officer Facility Police Sergeant DOD**

Date of action(s) ____________.

( ) Demotion) Involuntary Transfer, Date of Action(s)_______.

Position/Job title from which you were demoted/transferred:______________________.

Position/ Job title to which you were demoted/transfer:______________________.

( ) Failure to Hire ( ) Failure to Promote

For Failure to hire and/or failure to promote give date(s) you became aware that you had not been selected for position.

Date of Notification of Non-Selection:__________________.

The job title of the position for which you applied:__________.

Appendix G

(X) Discipline Action

Type of action (reprimand, suspension, letter of concern, etc.) Conspiracy to create false charges and documentation that does not comply or conform to any Georgia DOD Regulations.
Date of action(s) 21 December 2000, 03 May 2001, 16 July 2001, 24 July 2001, and 07 August 2001

( ) Denied Reasonable Accommodation
For reasonable accommodation of religion or disability, give date that you requested reasonable accommodation and most recent date your request was denied.

Date of request for reasonable accommodation________________________________.

Most recent date of denial of request for reasonable accommodation.________________________________.

Brief description of reasonable accommodation requested________________________________.

(X) Other action(s) Date of action(s): 11 October 2000, 21 December 2000, 03 May 2001, 24 July 2001, 07 August 2001, and 16 August 2001

Briefly describe action(s): The Georgia State Department of Defense present Administration and Personnel Office are racist and prejudice and directly responsible for creating, manipulating, and controlling a Conspiracy Racial Discrimination Assault of Homosexual Overtones and Harassments between 21 December 2000 to 07 August 2001 that has continued to this present day that includes Slander and Defamation of Character and creating false documentation against me that does not comply or conform to any of State of Georgia DOD Policies, Procedures, Guidelines, and Regulations while trying to create a scenario of a Ungodly Homosexual Confrontation on the Job with a terminated Subordinate as a direct means of trying to justify terminating my employment as a black supervisor with an outstanding and impeccable service record, and I am requesting an immediate transfer to the Federal E.E.O.C. upon receipt of this document.

4. Bases

For the following section, check only those categories that you believe contributed to the actions taken against you. Specify your basis (i.e. Race: Black, Hispanic, Asian, Color: light, medium, dark: Age: give date of birth month/date/year; Sex: Female, male; Disability: type of physical and/or psychiatric impairment; etc.) for each applicable category, where appropriate.

(XX) Race Black______.

( ) Color______________.

( ) Age (40+)___________.

( ) National Origin_______.

( ) Religion___________.

( ) Sex Male_________.

( ) Disability__________.

(XX) Unlawful Retaliation that bogus Counseling Statement

VERIFICATION

I swear or affirm that the information provided in this complaint is true and correct to the best of my knowledge, information and brief. I further swear and affirm under penalty of law, that the information contained herein does not constitute a frivolous or unwarranted complaint of unlawful discrimination as described within the Fair Employment Practices Act of 1978 (0.C.G.A. &45-19-44 (6) and &45-19-45(5)).

/s/ Sgt. Emmett L. Williams ___.
Complainant's Signature

03 Oct 01 ___.
Date

To be completed by Notary Public:

Appendix G

COUNTY OF DEKALB .
STATE OF GEORGIA

Personally appeared before me, the undersigned officer duly authorized by law to administer oaths, **Emmett L. Williams,** who, after first being duly sworn, deposes and says that s/he is fully competent to verify and testify as to the matter referred to and inquired about herein and that s/he does hereby verify the foregoing information.

Sworn to and subscribed
Before me this **3rd** day of
October , 2001.

/s/ Ursula S. Rogers .
Notary Public
(SEAL) Notary Public, Dekalb County Georgia
My Commission expires September 15, 2005

APPENDIX H – THIS IS WHERE THE PETITIONER HAD HIS FIRST SURGERY DATED OCTOBER 18, 2001 WHILE STILL EMPLOYED BY THE STATE OF GEORGIA DOD WITH 300 DAYS FILING STATUTORY ENTITLEMENT

10 /18/ 2001 STEPHEN M. MCCOLLAM

OPERATIVE NOTE

WILLIAMS, EMMETT

SURGERY: Emmett was taken to surgery on 10 /18/ 01 where open exploration of his elbow revealed a radial head fracture. It was comminuted involving the anterior 55% of the radial head with the forearm in neutral rotation. This was unfixable. This was debrided and the remaining 45% was left behind. The patient has also experienced a coranoid avulsion fracture which was fixed through a separate incision. Thirdly, the patient underwent a ligament repair of the posterolateral quadrant of the elbow as the ligament had been stripped off the posterior aspect of the lateral column. These were fixed with 5 mini mitec suture anchors as well as fixing the lateral ulnar collateral ligament origin which had been avulsed off of the lateral epicondyle. This was a very complex injury requiring the use of Amenda Scherger as my first assistant.

Stephen M. McCollam, M.D.

APPENDIX I – THE PETITIONER'S E.E.O.C. 300 DAYS FILING STATUTORY PERIOD STARTING DATE OF OCTOBER 22, 2001 CONFIRMED BY MR. TODD S. GARRISON DATED OCTOBER 22, 2001

Georgia Commission on Equal Opportunity
INTAKE DISMISSAL FORM

TO:	**FROM:**
Emmett L. Williams	Georgia Commission on Equal Opportunity
10 Treeview Drive, Unit A	710 International Tower – Peachtree Center
Lithonia, Georgia 30038	229 Peachtree Street, N.E.
	Atlanta, Georgia 30303
	(404) 656-1736

YOUR COMPLAINT IS DISMISSED FOR THE FOLLOWING REASON:

( ) The facts you allege fail to state a claim under any of the statues enforced by Commission.

( ) Your complaint was not timely filed with the Commission, i.e., you waited more than 180 days after the alleged date(s) of the discrimination to file. Because it was filed outside the time limit prescribed by Georgia law, the Commission cannot investigate your allegation. However, your complaint is being forwarded to the U.S. EEOC who may have jurisdiction over this matter. You may contact EEOC at (404) 562-6800.

( ) You failed to provide requested information , failed or refused to appear or to be available for necessary interviews/conferences; or otherwise refused to cooperate to the extent that the Commission has been unable to resolve your complaint. You have had more than 10 days in which to respond to our final written request.

( ) There has been no response from you regarding your earlier contact with this office. However, if you still wish to file a complaint of discrimination, please contact this office at your earliest possible convenience. Please be advised that Georgia law requires all such complaint to be filed within 180 days from the most recent act of discrimination.

Appendix I

( ) The named employer is not an agency of the State of Georgia, and as such is not subject to any of the statues enforced by the Commission. However, your complaint is being forwarded to the U.S. EEOC who may have jurisdiction over this matter.

( ) Based upon the review of your submitted documents, the Commission is unable to conclude that the information obtained establishes violations of the statues. This does not certify that the Respondents is in compliance with the statues. No finding is made as any other issues that
might be construed as having been raised by this inquiry.

(X) Other (briefly state) Per Your request, your complaint has been forwarded to the U.S. Equal Employment Opportunity Commission (EEOC). You may contact EEOC at (404) 562-6800. Please use your EEOC charge number 11BA20017 when referencing your case.

This determination by the Georgia Commission on Equal Opportunity (GCEO) represents the end of the processing of your complaint under the Georgia Fair Employment Practices Act of 1978, as amended (FEPA). If your complaint was dismissed because of your non-response or failure to cooperate, and you still wish to file a complaint of discrimination, please contact this office at your earliest possible convenience. Please be advised that Georgia law requires all such charges to be filed within 180 days from the most recent act of discrimination.

On behalf of the Commission,

/s/ 10 / 22 / 01
Date

/s/ Todd S. Garrison
Todd S. Garrison, Intake
Coordinator

APPENDIX J – THIS IS A DISMISSAL AND NOTICE OF RIGHTS RECEIVED IN THE MAIL ON MAY 18, 2002 FROM THE E.E.O.C. TO THE PETITIONER WHILE STILL EMPLOYED BY THE STATE OF GEORGIA DOD WITH 300 DAYS FILING STATUTORY ENTITLEMENT THAT ENDED ON AUGUST 18, 2002

U.S. EQUAL EMPLOYMENT OPPORTUNITY

DISMISSAL AND NOTICE OF RIGHTS

To: Emmett L. Williams 10 Treeview Drive, Unit A Lithonia, GA 30038	From: EEOC, Atlanta District Office 100 Alabama Street, SW, Suite 4R30 Atlanta, Georgia 30303

On behalf of Person(s) aggrieved whose identity is
( ) CONFIDENTIAL (29 CFR &1601.7(a)

Charge Number	EEOC Representative	Telephone Number
11BA200017	Vera J. Sims, Deferral Coordinator	(404) 562-6860

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

(X) The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

( ) Your allegation did not involve a disability that is cover by the American with Disabilities Act.

( ) The Respondent employs less than the required number of employees or is not otherwise covered by the statues.

( ) We cannot investigate your charge because it was not filed within the time limit required by law.

( ) Have been given 30 days in which to respond, you failed to provide information, fail to appear or be available for interview/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.

Appendix J

( ) While reasonable efforts were made to locate you, We were not able to do so.

( ) You had 30 days to accept a reasonable settlement offer that afford full relief for the harm you alleged.

( ) The EEOC issues the following determination: Based Upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

( ) The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

( ) Other (briefly state) ______________________________.

-NOTICE OF SUIT RIGHTS-

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, and /or the Age Discrimination in Employment Act: This will be the only notice dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS from your receipt of this Notice,** otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may be collectible.**

Appendix J

On Behalf of the Commission

/s/ Bernice Williams-Kimbrough May 15, 2002
BERNICE WILLIAMS-KIMBROUGH (Date Mailed)
(Stamped)

Enclosure(s)

cc: State of Georgia Department of Defense
EEOC Form 161 (10/96)

APPENDIX K- THE FRONT PAGE CONFIRMED FILING STAMP OF THE LAWSUIT THAT WAS FILED IN FEDERAL COURT WITHIN THE 300 DAYS FILING STATUTORY ENTITLEMENT THAT WAS FILED ON AUGUST 08, 2002 IN ACCORDANCE WITH THE LAWS OF THE E.E.O.C.

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED IN CLERK'S OFFICE
U.S.D.C
AUG -8 2002
LUTHER D. THOMAS, CLERK
By: /s/ DEPUTY CLERK, Int.
STAMPED

Sgt. EMMETT L. WILLIAMS

Plaintiff,

V.

THE STATE OF GEORGIA
DEPARTMENT OF DEFENSE
NATIONAL GUARD HEADQUARTERS, and
Cpt. RAYMOND FAUNT, Individually and in
His official and full capacity as The State DOD
Military Support Security Manager and
Plaintiff's Immediate Supervisor over
Civilian Departmental Section of State of
Georgia D.O.D. Facility Police, and
Ms. SANDRA BRUCE, individually and
In her official and full capacity as the State
D.O.D. PERSONNEL OFFICE which she
is the PERSONNEL MANAGER,

Defendant.

CIVIL ACTION

FILE NO.
1: 02-CV-2197

COMPLAINT

Come now Sgt. Emmett L. Williams. Plaintiff in this proceeding, and states his Complaint as follow:

APPENDIX L– THIS IS A RECEIPT FOR CASH AND ATTORNEY AND CLIENT AGREEMENT ATTACHED ON SEPTEMBER 09, 2002 WHERE THE ATTORNEY CHARLES D. BEST HAD FROM SEPTEMBER 27, 2002 TO DECEMBER 06, 2002 TO FILE THE COURTHOUSE SERVING PAPERS IN FEDERAL COURT

DOUGLES BEST
& Associates, LLC
Attorneys at Law

124 N. McDonough
Suite 205
Jonesboro, Georgia 30236
Phone: 770-477-5400
Fax: 770-471-1760

3235 Satellite Blvd.
Bldg. 400 – Suite 300
Duluth, Georgia 30096
Phone: 770-291-2100
Fax: 770-234-5466

September 9, 2002

Mr. Emmett L. Williams
10 Treeview Drive, Unit A
Lithonia, Georgia 30038

Re: Emmett L. Williams v. The State of Georgia Department of Defense National Guard Headquarters, et al., United States District Court Northern District, Civil Action No. 1:02-CV-2197

Dear Mr. Williams,

This letter should serve as a receipt for payment of Two Thousand ($2,000) for legal representation. A copy of a handwritten cash receipt is attached as Exhibit A.

We look forward to working with you on this matter. If you have any questions please do not hesitate to call me at (770) 477-5400.

Sincerely,

/s/ Charles D. Best
Charles D. Best, Esq.

Appendix L

RECEIPT

DATE 9 / 9 / 02 No. 683424

RECEIVED FROM Emmett Williams $2,000.00

Two Thousand DOLLARS

FOR RENT

FOR Legal Services

ACCOUNT PAYMENT CASH CHECK FROM ________ TO ________

BAL. DUE MONEY ORDER BY /s/ Charles D. Best

AGREEMENT TO PERFORM LEGAL SERVICES

This agreement, dated the 9th day of September, 2002 is made between the client, known as: Emmett L. Williams ("Client") whose address is 10 Treeview Drive, Unit A, Lithonia Georgia 30038 and Charles Best ("Attorney") Attorney (s) at Law.

I. **Legal Services to Be Provided:**
Client retains the Attorney to represent Client in a racial discrimination lawsuit against the State of Georgia Dept. of Defense.

II. **Additional Legal Services:**
Client agrees that any other legal services, which may or may not be related to the above matter, including litigating in a court of competent jurisdiction, may only be provided by Attorney under a new agreement to provide such other services.

Appendix L

III. Legal Fees: (Check and initial all that apply)

/s/ CDB (X) _____ Client will pay Attorney a Flat Fee of **$2,000.00** and a Contingent Fee (a percentage of the total amount recovered) of 33% out of Clients gross recovery for all services under this agreement Attorney will attempt to collect and will be entitled to all attorneys' fees collected in this case.

( )______ Client will be billed at an hourly fee of $250.00 for our legal service rendered pursuant to this agreement.

VI. Costs and expenses: Client shall be responsible for all expense including but not limited to Investigator Reports, Expert Fees, Court costs, deposition costs, postage and sheriff's fees. The Attorney will require Client to retain expert (s) directly. In that event, Client will be solely responsible to pay the expert (s). If Client is unable to pay the costs and expenses incurred on his/her behalf, these costs may, at the attorney's discretion be funded by the Attorney and Client will refund the attorney for these costs without regards to his recovery, if any, in this action.

V. TERMINATION OF LEGAL WORK: The Attorney may withdraw at any time and will withdraw from representing client at Client's request that Attorney terminate the legal work. If the legal work is terminated at the Client's request, then Client agrees that Attorney has earned his fee of $2,000.00 for all hours worked on the case through the date of termination and Client's obligation to pay Attorney shall be deemed matured. Moreover, Client must recognize that Attorney has the right to an Attorney's lien on any recovery in the matter, even after the termination of his representation of Client.

Appendix L

VI. NO GURANTEE: The Attorney agrees to provide conscientious, competent and diligent services and at all times will zealously seek to achieve Client's just and reasonable objectives. However, the Attorney cannot and does warrant, guarantee, or predict the outcome of legal proceedings for any case.

VII. SETTLEMENT: I understand no settlement of Client's claims will be made without Client's approval. Attorney is obligated to present Client with any and all settlement offers made by opposing counsel during the course of the Legal Work. Client agrees to fully consider any such offer of settlement. However, Attorney reserves the right to withdraw from further representation if in the Attorney's sole opinion the offer is determined to be reasonable and Client refuses to accept the settlement offer made.

VIII. ASSOCIATE COUNSEL: I understand and agree that Attorney may at his option and discretion, use other counsel or attorneys of his choice, to assist, work on, or handle any or all matters that may arise. The parties agree that the attorney shall be permitted to divide any fees collected in accordance with the Georgia Rule of Professional Conduct 1.5 (e) (2), the client agrees that attorney may divide the fee based solely on his judgment, and the client does not object to the participation of the other lawyer(s), if any, or to the fee splitting with other lawyers, if any, any division of a fee will not reduce the amount to be collected by the client. The use of such other attorneys shall be at no additional coat to client.

Appendix L

Client and Attorney have read and agree to this Agreement. The Attorney has Answered all of Client's questions and fully explained this Agreement to Clients full Satisfaction. Client hereby acknowledges receipt of an executed original or copy of this Agreement.

ATTORNEYS:	CLIENT (S):
/s/ Charles D. Best CHARLES D. BEST ATTORNEY AT LAW	/s/ Emmett L. Williams EMMETT L. WILLIAMS

APPENDIX M – THE DOCTOR'S LETTER FROM KAISER PERMANENTE DATED SEPTEMBER 20, 2002 WHILE THE PETITIONER WAS STILL EMPLOYED BY THE STATE OF GEORGIA DOD/ ON LEAVE IN ACCORDANCE WITH DCS-OPS-MS (190) 1995 REGULATED JOB DESCRIPTION AND THE PREVAILING 1999 P.M.P. EVALUATION

KAISER PERMANENTE

September 20, 2002

State of Georgia
Department of Defense National
Guard Headquarters
935 East Confederate Avenue
Atlanta, Georgia 30316

Attention: Personnel Office

Re: Williams, Emmett
HR # 0460647

To Whom it May Concern:

Mr. Emmett Williams is being treated for hypertension. He has an on-going problem with his right elbow following a fall. He was status post elbow surgery on 10/18/01, but unfortunately this did not correct the deformity. He has lost function of his elbow and is unable to fire his revolver. I recommend that he stay on light duty until completion of his treatment with his orthopedist. He should be allowed to take time off work because of his disability.

Sincerely

/s/ E.L.W.

/s/ Toan Nguyen
TOAN NGUYEN, MD
Lead Physician HCT A
Department of Internal Medicine
Panola Medical Office
404 365-0966

/s/ GAIL HILL 9/30/02
Notary Public
Dekalb County Georgia
My Commission Expires
Aug. 27, 2005

APPENDIX N – WHILE UNDER THE FEDERAL JUDICIARY PROTECTION POWERS OF THE FEDERAL COURTS ON AND AFTER AUGUST 08, 2002, THIS IS SEPARATION NOTICE ON SEPTEMBER 27, 2002 WHERE THE RESPONDENTS' TERMINATED THE PETITIONER' S EMPLOYMENT FOR FILING HIS LAWSUIT IN FEDERAL COURT ON AUGUST 08, 2002 WITHIN THE LEGAL FILING LIMITS OF THE E.E.O.C. 300 DAYS AND 90 DAYS STATUES

STATE OF GEORGIA
DEPARTMENT OF LABOR

SEPARATION NOTICE

1. Employee's **EMMETT WILLIAMS** 2. S.S. No. **256-88-5462**

a. State any other name (s) under which employee worked ________

3. Period of Last Employment from **Feb. 25, 1987** To **Sept. 27, 2002**

4. REASON FOR SEPARATION:

a. LACK OF WORK___

b. If for other than lack of work, state fully and clearly the circumstances of the separation________________________

Termination – Violation of agency rules.

5. Employee received: __Wages in Lieu of Notice __Separation Pay __ Vacation Pay

In the amount of $______for period from _______ To ________

6. Did this employee earn at least $2,240.00 in your employ?

Yes__ No__ if NO, how much? $_________

Employer's State of Georgia
name Department of Defense / Ga. D.O.L. Account Number **110081-07**

C/O R.E. Harrington
Address P.O. Box 724086 / (Number shown on Employer's Quarterly Tax and Wage Report Form DOL-4)

Appendix N

City Atlanta State GA 31139-1086/

REH's
Telephone No. 7/379-9560
7/396-9027-Fax /

NOTICE TO EMPLOYER
At the time of separation, you are required by the Employment Security Law, OCGA Section 34-8-190(c), to provide the employee with this document, properly executed, giving the reasons for separation. If you / subsequently receive a request/ for the same information on a DOL-403FF, you may attach a copy of this form (DOL-800) as part of your response. /

I CERIFY that the above worker has been separated from work and the information furnished hereto is true and correct. This report has been handed to or mailed the worker.

MARILYN RUSS
Signature of official. Employee of the Employer or authorized agent for the Employer

PERSONNEL TECHNICIAN
Title of Person Signing

October 1, 2002
Date Completed and Released to Employee

NOTICE TO EMPLOYEE

OCGA SECTION 34-8-190 (c) OF THE EMPLOYMENT SECURITY LAW REQUIRES THAT YOU TAKE THIS NOTICE TO THE GEORGIA DEPARTMENT OF LABOR FIELD SERVICES OFFICE IF YOU FILE A CLAIM FOR UNEMPLOYMENT INSURANCE BENEFITS.

(The Petitioner Footnotes Comments and Argument: When the Respondents terminated the Petitioner's Employment from the State of Georgia on September 27, 2002, the Respondents did not know exactly as to what the charge or purpose for termination was going to be at the time of termination on September 27, 2002 because the Petitioner was charged with Unauthorized Leave after this document was completed and turned in to the labor board **where the Respondents created the scenario of unauthorized leave sometime after this document was turned in to the Labor Board** because the charge of unauthorized leave is nowhere on the face charge of this document for termination **(28 U.S.C. &2403(a)).)**

APPENDIX O– THIS IS THE PETITIONER'S STATEMENT REGARDING THE NON-ESTABLISHED WORKING RELATIONSHIP THAT NEVER EXISTED BETWEEN THE PETITIONER AND MARK WILLIAMS FROM MAY 2002 TO SEPTEMBER 2002 IN ACCORDANCE WITH THE STATE OF GEORGIA DOD POLICIES, PROCEDURES, GUIDELINES, AND REGULATIONS WHERE THE RESPONDENTS VIOLATED AND BROKEN THE STATE AND FEDERAL RETALIATION AND DISCRIMINATION LAWS OF THE LAND

PETITIONER'S STATEMENT REGARDING MARK WILLIAMS

The Petitioner would like to extinguish any false allegations as to Mark Williams' Role of being the Petitioner's Supervisor from this time period of **May 2002** through **September 2002. Mark Williams is a civilian worker that works in the Facilities Management Office as a the Clerk over the Clerks** that is not in the National Guard or an active Guard Member. The Petitioner's Departmental Section as the State Facility Police is funded through the National Guard Bureau as a Federal Funded Program with the Georgia National Guard as being the overall Appointing Authority through the Military Support Office under the Chief of Staff.

In the entire history of the DOD State Facility Police there have never been a civilian office clerk Supervisor over the DOD Facility Police that do not hold any ranks within the Departmental Section of the DOD State Facility Police or in the Georgia National Guard. **As a civilian supervisor like the Petitioner, you must hold rank within the Departmental Section as Sergeant, Lieutenant, or Captain or be a member of the Georgia National Guard.**

Mark Williams was not holding any positions within the ranks of the State Facility Police as a Sergeant, Lieutenant, or Captain, and Mark Williams was not actively in the Georgia National Guard.

APPENDIX O

The Petitioner requested a letter of appointment and assignment from the State of Georgia National Guard Administration's Appointing Authority or Personnel Office as to whom was Mark Williams, as to what was his assignment over the Petitioner, as to what was his overall assignment over the Petitioner's Departmental Section, and what was his position or job title over the Facility Police Sergeant. The Petitioner has never received a response back from that inquiry.

Mark Williams worked in the Facilities Management Office all day during the day during normal business hours, and the Petitioner worked during the evening and early morning hours at night after normal business hour. Mark Williams has never observed the Petitioner's working Performance for one single moment during any 8 hours shift after normal business hours, and out of the 4 times that the Petitioner has actually went to Mark Williams' office for meetings that it would be hard to put together a total of 2 full hours that the Petitioner and Mark Williams were together during or within these 5 months from **May 2002 to September 2002**.

According to the State of Georgia DOD Policies, Procedures, Guidelines, and Regulations, Mark Williams has never established a working relationship with the Petitioner where a required upon properly signed prerequisite Performance Management Plan (P.M.P.) was established, filed, and put in place.

A required upon properly signed Performance Management Plan (P.M.P.) and the yearly Evaluation are one in the same. It is just that the Performance Management Plan (P.M.P.) comes in the beginning of the Performance Management Period for a signing agreement of all parties of Job Expectations, and the Evaluation comes at the end of the that Performance Management Period to be rated the Employee on those expectations.

It is absolutely impossible to make up an Evaluation on any State of Georgia DOD Employee without establishing an

APPENDIX O

agreed upon a properly signed prerequisite Performance Management Plan (P.M.P.) first at the very beginning of the Performance Management Period where in this case with Mark Williams, he would have needed to established a Performance Management Plan (P.M.P.) within the Petitioner's Personnel Filed in the month of May 2002 in accordance with the State of Georgia DOD Policies, Procedures, Guidelines, and Regulations that was never established in the Petitioner's case.

This is the reason why that it is impossible to terminate any State of Georgia DOD Employee under these conditions surrounding the Petitioner's Case without a required upon properly signed prerequisite Performance Management Plan (P.M.P.).

Without the aid of a P.M.P., it is very easy to see how the Attorney Charles D. Best and the Respondents under an illegal, unlawful, and unconstitutional undisclosed Dual Agency Relationship violated and broken all of the Georgia State Laws of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII because without the aid of a P.M.P., it is impossible for the Respondents to have terminated the Petitioner's Employment under these conditions surrounding the Petitioner's Case.

The Attorney Charles D. Best and all of the Respondents are guilty of Racial Retaliation, Racial Discrimination, Perjury, Obstructing Federal Justice, Wrongful Termination, Wrongful Prosecution, Defamation of Character, Slander and "et al.".

APPENDIX P – THE FRONT PAGE OF THE STATE OF GEORGIA DOD PERSONNEL POLICIES AND PROCEDURES WITH AN EFFECTIVE DATE OF MAY 01, 1998 WITH PROVISIONS OF 1A, 1B, AND 1C

GEORGIA DEPARTMENT OF DEFENSE

PERSONNEL POLICIES AND PROCEDURES

SUBJECT: PROGRESSIVE DISCIPLINE **Page 1 of 4**

APPROVED BY:/s/ William P. Bland Jr **EFFECTIVE: May 1, 1998**
WILLIAM P. BLAND, JR.
Major General, GA ANG
The Adjutant General

PURPOSE: To ensure that employees are provided a proper direction in achieving optimum performance, and to promote sound management practices in directing the work of the Georgia Department of Defense and its employees.

POLICY: The Georgia Department of Defense requires that all managers and supervisors take prompt, progressive, and appropriate steps to correct unacceptable job behavior or performance deficits. These measures are intended to inform the employee of behaviors that are unacceptable, and to assist the employee in taking responsibility for prompt corrective action and improved performance.

APPLICATION: All state employees of the Georgia Department of Defense.

PROVISIONS:

1. ORIENTATION AND COUNSELING.

A. At the beginning of the employment period, the supervisor will give the employee a copy of his/her **job description and Performance Management Plan (P.M.P.).**

B. The supervisor will discuss with the employee the expected work standards and policies that are applicable to the employee's position, and the

Appendix P

interest of the division in the employee's services. The explanation given to the employee by the supervisor should be clear and precise to ensure that employee understands **what is expected.**

C. Although there may be duties required of the employee that are not included in his/her PMP, such necessary and job-related duties may be assigned to the employee, and the employee will be expected to perform them. If such duties are of long duration or become a significant part of the job, it is the supervisor's responsibility to **amend the PMP accordingly**.

APPENDIX Q – THE FIRST TWO AND A HALF (2 1/2) PAGES OF THE OF THE DCS-OPS-MS (190) REGULATED JOB DESCRIPTION DATED 29 JUNE 1995 THAT WAS NEVER AMENDED, CHANGED, DELETED, OR ALTERED THAT AUTHORIZED THE PETITIONER WITH THE AUTHORITY TO SCHEDULE LEAVE FOR HIMSELF AND HIS EMPLOYEES

(JOB DESCRIPTION)

DCS-OPS-MS (190) **29 June 1995**

MEMORANDUM FOR
Sgt. E. L. Williams, Facility Police

SUBJECT: Response to New Schedule Inquiry

1. This memorandum is in response to your memorandum concerning a new duty hour schedule. I have reviewed your memorandum and have discussed this situation extensively with you. The following provides you direct guidance for administering the DOD facility police schedule at the Atlanta DOD Reservation. This schedule will be accomplished using scheduled duty shifts not to exceed 12 hours. The Facility Police Sergeant is responsible to schedule duty shifts for his employees. He has total authority to schedule employees to fill the required shifts as specified by the Military Support Office.

2. **GENERAL.**

   a. **Hours required for security: 136 hrs. on a normal week.**

      1. **Total number of permanent employees: 3 (to include 1 Sergeant)**
      2. **Total number of casual employees available for Sat. – Man./ :3.**

Appendix Q

DCS-OPS-MS (190)

b. Other consideration:

1. Reserve Drill one weekend a month for one permanent employee.
2. Time for the Police Sergeant to supervise and not work all shifts.
3. Time for employees to take leave and have at least two days off a week.
4. Keep overtime to an absolute minimum.

3. FACTS.

a. There are 8 – 8hrs shifts required between Tuesday beginning at 1600 and Saturday at 0800. 64 hours total.

b. There are 72 hours required between 0800 on Saturday and 0800 on Tuesdays. This can be accomplished using 8 or 12 hour shifts. Casual employee use should be maximized.

c. A minimum of 16 hours must be worked by casual employees to prevent overtime. The desire is to allow use of the casual employees on weekends to provide the Sergeant supervisory time and to allow flexibility for permanent employee leave and time off. **Example**: If casual employees work 3-12 hour shifts over the weekend, 20 additional hours are free to divide for supervisory time or leave time. If casual employees work 4-12 hour shifts on the weekend, 32 hours are available to divide for leave time and supervisory time.

4. OBSERVATION. During the last two years I have listened to many concerns and problems areas. I have also received various complaints over the way

Appendix Q

DCS-OPS-MS (190)

past operations have been conducted. The following observations and comments are provided:

a. The Sergeant is not allowed supervisory time on the clock. (The Sergeant has to pull shifts.)
b. The Sergeant has to wear his own personal pager.
c. The Sergeant is not given authority to conduct his affairs without interference from the administration.
d. The Sergeant has to be concerned with keeping the budget balanced.
e. The old schedule did not work and it was similar to the one proposed by management.
f. The Sergeant receives no "perks" as a supervisor.

5. OBSERVATION RESPONSE.

a. **The Sergeant** is provided guidelines for scheduling security shifts. **He has the authority and responsibility** to ensure that the shifts are adequately covered. **This also includes scheduling leave for himself and employees**. This also provides **authority and options to schedule supervisory time** not to exceed 16 hours per week. This does not preclude that situation such as 4 day holiday weekend will need additional staffing. I cannot reiterate enough that casual employees should be maximized in situations where additional staffing is required. Additional staffing is not, as a rule, an opportunity for permanent employees to gain Compensation time. If casual employees are managed with care,

Appendix Q

DCS-OPS-MS (190)

permanent employees can enjoy scheduled leave time without other permanent employees having to always work excessive hours or overtime.

b. **The Sergeant** is no longer required to rely on his personal pager for facility police business. A state of the art, statewide pager, was provided to the Sergeant recently. The Sergeant has the opportunity to stay in contact with his subordinates and supervisors at any given time provided the calls are returned when paged and the pager is turned on. This should alleviate any communication problem that may occur if the Sergeant leaves the local area. As a Supervisor, the Sergeant must telephonically handle pagers on occasion when not on the clock. The Sergeant must also ensure that his subordinates are properly trained to page him and to handle possible emergency situations.

c. **The Sergeant has the authority** to handle situations and should do so to the **Maximum Extent Practical and within the authority granted to him**. The administration has no desire to interfere with the supervisory duties of the Facility Police Sergeant. **The Sergeant**, as has always been the case, **is expected to run the day to day Department Operations**. The administration expects compliance with guidelines and parameters for the Department. It is the **RESPONSIBILITY of the Sergeant** to ensure that administration Policies and Directives are **Implemented and Enforced**.

APPENDIX R –THE PREVAILING P.M.P. UNTIL ONE IS ESTABLISHED DATED SEPTEMBER 30, 1999

State of Georgia
PERFORMANCE MANAGEMENT FORM (PMF)

Organizational Unit	Print Date MS 10-60 (8/95)

Organization Number

Section 1: Employee Information

Last, First Name MI	S.S.Number	Position No.	Performance Period
Williams, Emmett L.	256-88-5462	4430005	7/1/99 to 6/30/2000
Class/Job Title	**Class/Job No.**	**S.P. No.**	**Supv.T.C/.J.No.**
Fac. Pol. Sgt.	33130	AGR/Maj	Assist. Dir. of Fac.

Section 2: Performance Plan Signature

Performance Plan Signature		**Performance Plan Sign.-Supv./ MG**	
I understand my job and Individual responsibilities, the Performance expectations, and The terms and conditions under Which I am expected to work Comments:		I have discussed the job and individual responsibilities, performance expectations, and terms and conditions with the employee. Comments:	
/s/ 30 Sept. 99	/s/ Sgt. E.L. Wms	/s/22 Sep99	/s/Randy Postell
Date	Employee Signature	Date	Eval. Supv. Sign.
I understand the changes made to My responsibilities and Performance expectation or terms And conditions.		I have reviewed the Performance Plan and fine the requirement appropriate Comments:	
IF CHANGES ARE MADE?		/s/ 22 Sep 99	/s/ TLG
Date	Employee Signature	Date	Review Manager

( ) Ann Perf. Eval. ( ) Perman, Statue Eval. ( ) Personnel File (X) Emp. Copy ( ) Supv. Copy

Appendix R

This is the Petitioner's Actual Performance and Actual Performance Rating list as an Evaluation of the already established required upon properly signed prerequisite Performance Management Plan (P.M.P.) as the prevailing P.M.P. and Evaluation until a new P.M.P has been established.

(a.) Sgt Williams responds as necessary. He is diligent in efforts to keep me informed. During the rating period he assisted other law enforcement officers with investigation being conducted by another agency. **The Expectations Performance Rating was MET.**

(b.) Sgt. Williams has made great improvement in controlling vehicle access to this reservation during the hours the security force is present. He is operating new sophisticated monitoring equipment to record activity on the complex. He works diligently to control the speed on the reservation. Gates and doors are locked and unlocked as required. **The Expectations Performance Rating was MET.**

(c.) Sgt. Williams checks the main gate as required and is very diligent in checking behind the building owners for unsecured doors and windows. **The Expectations Performance Rating was EXCEEDED.**

(d.) Sgt. Williams always ensure that I am informed as incidents occur. Written reports were not required during this rating period since no significant activities occurred. **The Expectations Performance Rating was EXCEEDED.**

Appendix R

(e.) Sgt. Williams completes a schedule for subordinates to maintain coverage of the complex. I have personal knowledge of his attempts to assist subordinates with personal situations which indicates that he does attempt to make himself available. Time sheets are completed for his people. However, timeliness in getting them to me could use some improvement. Sgt. Williams has the delegated authority to hire and fire those on his subordinate staff. **The Expectations Performance Rating was MET.**

(f.) Prepared work plans for all employees. Keeps me informed of ongoing situation with subordinate employees. Stands up for his people. Sgt. Williams does an exceptional job with extremely limited resources in personnel, equipment, and transportation. **The Expectations Performance Rating was EXCEEDED.**

(g.) Sgt. Williams works hard to be a team player. He is considerate of others and accepts responsibilities. He recognizes his people for jobs well done and works to resolve conflicts as they arise. **The Expectations Performance Rating was MET.**

(h.) Sgt. Williams is respectful to his customers, offers options, responds to customers promptly, and his a genuine concern for the safety and protection of the employees of the Confederate avenue reservation. **The Expectations Performance Rating was MET.**

(i.) Sgt. Williams has a can do attitude in spite of the extremely limited resources available to him. Williams is resourceful and accepts feedback from supervision. **The Expectations Performance Rating was EXCEEDED.**

Appendix R

(j.) Works when scheduled. **The Expectation Performance Rating was MET**.

(k.) Requests leave appropriately IAW established policies. **The Expectations Performance Rating was MET.**

(l.) Williams takes pride in appearance and is working diligently to get all security personnel in matching uniforms despite constraints. **The Expectations Performance Rating was MET.**

(m.) IAW established policies and regulations. **The Expectations Performance Rating was MET.**

(n.) Observe all stated rules and policies. **The Expectations Performance Rating was MET.**

This rating reflects my evaluation of the employee's performance. I have discussed this evaluation with the employee. Sgt. Williams' heart appears to be in the right place with a genuine emphasis on the safety and welfare of the employees of the Confederate Avenue Complex being top priority. Limited resources in the area of uniforms, equipment, manpower, and transportation make his job very difficult. The reservation needs security around the clock. With additional resources, I'm confident Sgt. Williams and his team of people could do an outstanding job of securing the installation. In fairness to Sgt. Williams, he should be supervised and managed by someone with knowledge in the area of physical security and law enforcement.

/s/ 18 Jul 00	/s/ Randy Postell
Date	Evaluating Supervisor Signature

APPENDIX S– THIS IS A RECEIPT FOR CASH ON OCTOBER 05, 2002 WHERE THE ATTORNEY CHARLES D. BEST HAD FROM SEPTEMBER 27, 2002 TO DECEMBER 06, 2002 TO FILE THE COURTHOUSE SERVING PAPERS IN FEDERAL COURT

DOUGLES BEST
& Associates, LLC
Attorneys at Law

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Jonesboro, Georgia 30236
Phone: 770-477-5400
Fax: 770-471-1760

3235 Satellite Blvd.
Bldg. 400 – Suite 300
Duluth, Georgia 30096
Phone: 770-291-2100
Fax: 770-234-5466

October 5, 2002

Mr. Emmett L. Williams
10 Treeview Drive, Unit A
Lithonia, Georgia 30038

Re: Emmett L. Williams v. The State of Georgia Department of Defense National Guard Headquarters, et al., United States District Court Northern District, Civil Action No. 1:02-CV-2197

Dear Mr. Williams,

This letter should serve as a receipt for payment of nine hundred ($900.00) for legal representation. A copy of a handwritten cash receipt is attached as Exhibit A.

We look forward to working with you on this matter. If you have any questions please do not hesitate to call me at (770) 477-5400.

Sincerely,

/s/ Charles D. Best
Charles D. Best, Esq.

Appendix S

RECEIPT

DATE 10 / 5 / 02 No. 613967

RECEIVED FROM Emmett Williams $900.00

Nine Hundred - DOLLARS

FOR RENT

FOR Legal Services

ACCOUNT PAYMENT CASH CHECK FROM ______ TO ______

BAL. DUE MONEY ORDER BY /s/ Charles D. Best

APPENDIX T – UNDER AN ILLEGAL, UNLAWFUL, AND UNCONSTITUTIONAL UNDISCLOSED DUAL AGENCY RELATIONSHIP, THE ATTORNEY CHARLES D. BEST AND THE RESPONDENTS REFUSED TO DISCLOSE TO THE COURTS BEFORE, ON, AND AFTER JANUARY 13, 2003 KMOWLEDGEABLE AND KNOWN MATERIAL FACTS WHERE THE ATTORNEY CHARLES D. BEST AND THE RESPONDENTS DEAD DOCKETED THIS FEDERAL CASE ON SEPTEMBER 27, 2002 WHERE THE RESPONDENTS WERE SERVED ON SEPTEMBER 27, 2002, BUT THE ATTORNEY CHARLES D. BEST REFUSED TO FILE THE SERVING PAPERS IN FEDERAL COURT WHERE THE ATTORNEY BEST AND THE RESPONDENTS ARE RESPONSIBLE FOR COMMITTED AN ACT OF PERJURY BY NOT DISCLOSING A KNOWLEDGEABLE AND KNOWN MATERIAL FACT TO THE COURT AS TO ELUDING AND OBSTRUCTING FEDERAL JUSTICE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

SGT. EMMETT L. WILLIAMS,
Plaintiff,
v.
STATE OF GEORGIA, DEPT OF DEFENSE NATIONAL GUARD HEADQUARTER, et al.,
Defendants.

CIVIL ACTION FILE
No. 1:02-CV-2197

SHOW CAUSE ORDER

Plaintiff, Sgt. Emmett L. Williams, filed this action on June 17, 2002 (**This date reflected on this order is wrong because the Petitioner actual filing date was August 08, 2002 within the legal statues limits of the E.E.O.C.**) Federal Rule of Civil Procedures 4 (m) requires service of the summons and complaint upon the defendant to be made within 120 days after

Appendix T

the filing of the complaint. More than 120 days have elapsed since the filing of the complaint, and no proof of service has bee filed with the court. Accordingly, plaintiff is ordered to show cause in writing, within 10 days of the date of this order, as to why this action should not be dismissed for failure to prosecute pursuant to Fed. R. Civ. P. 4 (m) and Local Rule 41.3, N.D.Ga.

The Clerk of the Court is Directed to resubmit this matter to the undersigned Magistrate Judge at the exoiration of theabove-allotted time period.

IT IS SO ORDERED, THIS 13TH day of January, 2003

/s/ Gerrilyn G. Brill
GERRILYN G. BRILL
UNITED STATES MAGISTRATE JUDGE

(The Petitioner's Footnote Comment and Argument: The Respondents, the Attorney Charles D. Best, and Judges Oakley and Baird were all engaged in an illegal, unlawful, unconstitutional, and discriminatory Undisclosed Dual Agency Relationship against the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **where the Respondents, the Attorney Charles D. Best, and Judges Oakley and Baird were obligated as officers of the courts as to reporting and disclosing all knowledgeable and known information, evidences, and facts to the Federal Courts before, on, and after January 13, 2003 as to explaining to the Federal Courts all events that had occurred from September 27, 2002 to and after January 13, 2003** where the Respondents, the Attorney Charles D. Best, and Judges Oakley and Baird have all abandoned and deserted all of the Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII where the Respondents, the Attorney Charles D. Best, and Judges Oakley and Baird have all ACTED "IN THE CLEAR ABSENCE OF ALL JURISDICTION"**and not eligible for "the doctrine of res judicata" or "Judicial Immunity" (28 U.S.C &2403(a)).**

APPENDIX U – WHILE UNDER THE FEDERAL JUDICIARY PROTECTION POWERS OF THE FEDERAL COURTS AND WITHOUT THE PETITIONER'S SIGNATURE CONSENT, THE ATTORNEY CHARLES D. BEST AND THE RESPONDENTS UNDER A ILLEGAL, UNLAWFUL, AND UNCONSTITUTIONAL UNDISCLOSED DUAL AGENCY RELATIONSHIP RETALIATED AGAINST THE PETITIONER BY DISMISSING THIS FEDERALLY FILED CASE WHERE THE RESPONDENTS WERE SERVED PROPERLY ON SEPTEMBER 27, 2002 BY THE ATTORNEY CHARLES D. BEST WHERE THE PETITIONER HAS RESCINDED ALL TRANSACTIONS MADE BY THE ATTORNEY CHARLES D. BEST AFTER SEPTEMBER 27, 2002 INCLUDING THIS UNCONSTITUTIONAL FEBRUARY 12, 2003 DISMISSAL AS BEING NULL AND VOID

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Emmett L. Williams
Plaintiff,
v.
The State of Georgia Department
Of Defense National Guard
Headquarters, and
RAYMOND FAUNT, individually
And In his official and full
Capacity as the State D.O.D.
Military Support Security Manager
And the Plaintiff's Immediate
Supervisor over a civilian
Departmental Section of the State
Of Georgia D.O.D. Facility Police,
And Ms. Sandra Bruce,
Individually and in her official
Capacity as the State D.O.D.
PERSONANEL OFFICE which she
Is the PERSONAL MANAGER
Defendants

CIVIL ACTION NO.
1:02-cv-2197-RLV

Appendix U

DISMISSAL WITHOUT PERJUDICE

Plaintiff, Sgt. Emmett L. Williams, hereby dismisses without prejudice the claims asserted against all Defendants in the Complaint that was filed in this litigation proceeding with each party to bear its own costs.

Dated: February /s/ 12th , 2003.

Respectfully Submited,

/s/ Charles D. Best
CHARLES D. BEST
GEORGIA BAR NO. 055783
ATTORNEY FOR PLAINTIFF

124 McDONOUGH STREET,
SUITE 205
JONESBORO, GA 30236
(770) 477-5400
(770) 234-5466 Fax

(Petitioner's Footnote Comment and Argument: The Attorney Charles D. Best and the Respondents was engaged in an illegal, unlawful, and unconstitutional undisclosed Dual Agency Relationship when this document was created and filed while this Federally Filed Lawsuit Case (1:02-CV-2197) was under the Federal Judiciary Protection Powers of the Federal Court where the Petitioner's signature of consent as being "the Only Party of Consent" as the Lawsuit's Creator and Originator **where in accordance with the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles, I. V, and VII, the Petitioner has the RIGHT and AUTHORITY to RESCIND this document under an undisclosed Dual Agency Relationship** that make the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) a valid

Appendix U

and enforceable lawsuit where "the doctrine of res judicata" including "the granting of Immunity of any kind to the Respondents" are both BARRED by the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII where "the doctrine of res judicata" including "the granting of Immunity of any kind to the Respondents" are both BARRED and do not apply or exist in any of the Petitioner's Federally Filed Lawsuit Cases that are filed under this Federal Case (1:02-CV-2197) (28 U.S.C. &2403(a)).

APPENDIX V– THIS IS A RECEIPT FOR CASH ON MARCH 17, 2003 WHERE THE ATTORNEY CHARLES D. BEST HAD FROM SEPTEMBER 27, 2002 TO DECEMBER 06, 2002 TO FILE THE COURTHOUSE SERVING PAPERS IN FEDERAL COURT

DOUGLES BEST
& Associates, LLC
Attorneys at Law

124 N. McDonough
Suite 205
Jonesboro, Georgia 30236
Phone: 770-477-5400
Fax: 770-471-1760

3235 Satellite Blvd.
Bldg. 400 – Suite 300
Duluth, Georgia 30096
Phone: 770-291-2100
Fax: 770-234-5466

March 17, 2002

Mr. Emmett L. Williams
10 Treeview Drive, Unit A
Lithonia, Georgia 30038

Re: Emmett L. Williams v. The State of Georgia Department of Defense National Guard Headquarters, et al., United States District Court Northern District, Civil Action No. 1:02-CV-2197

Dear Mr. Williams,

This letter should serve as a receipt for payment of Nine Hundred Fifty($950.00) for legal representation. A copy of a handwritten cash receipt is attached as Exhibit A.

We look forward to working with you on this matter. If you have any questions please do not hesitate to call me at (770) 477-5400.

Sincerely,

/s/ Charles D. Best
Charles D. Best, Esq.

Appendix V

RECEIPT

DATE 3 / 17 / 03 No. 5577832

RECEIVED FROM Emmett Williams $950.00

Nine Hundred Fifty DOLLARS

FOR RENT

FOR Legal Services

ACCOUNT PAYMENT CASH CHECK FROM ________ TO ________

BAL. DUE MONEY ORDER BY /s/ Charles D. Best

APPENDIX W – STATE BAR OF GEORGIA LETTER THAT CONFIRMS THAT THE ATTORNEY CHARLES D. BEST IS SHADY AND UNSCRUPULOUS AS UNDISCLOSED DUAL AGENCY DATED JULY 20, 2005

STATE BAR OF GEORGIA
OFFICE OF THE GENERAL COUNSEL

WILLAM P. SMITH, III
GENERAL COUNSEL
Bar Counsel
ROBERT E. McCORMACK
Deputy General Counsel
JOHN J. SHIPTENKO
Assistant General Counsel

Disciplinary Counsel
PAULA J. FREDERICK
Deputy General Counsel
JENNY K. MITTELMAN
JONATHAN HEWETT
Sr. Assistant General Counsel
GENE CHAPMAN
ELIZABETH M. WILLIAMSON
KELLYN O. McGEE
Assistant General Counsel
REBECCA A. HALL
Grievance Counsel

July 20, 2005

Sgt. Emmett L. Williams
1266 Bedford Avenue
Columbus, Georgia 31903

Re: **In the Matter of Charles Douglas Best**
State Disciplinary Board Docket No. 4914

Dear Sgt. Williams:

The Investigative Panel of the State Disciplinary Board has concluded its investigation into the grievance that you filed against Charles Best. Mr. Best never filed any response to your complaint and at its meeting on July 8, 2005, the Panel issued a Notice of Discipline recommending that the Supreme Court disbar him.

The Panel had seven other cases before it regarding Mr. Best. Apparently he has abandoned his practice. We have received word that he is a resident in a facility for people who suffer from alcoholism or drug abuse, but have not been able to contact him there.

It is likely that the Court will enter an order disbarring Mr. Best if he does not file any response to the Notices of Discipline. I will be in touch with you when the Supreme Court enters an order in this matter; in the meantime, feel free to contact me or Deborah Grant, my assistant, if you have questions.

Sincerely,

/s/ Paula Frederick
Paula J Frederick
Deputy General Counsel

PJF/dmg

APPENDIX X – STATE BAR OF GEORGIA LETTER THAT CONFIRMS THAT THE ATTORNEY CHARLES D. BEST IS SHADY AND UNSCRUPULOUS AS UNDISCLOSED DUAL AGENCY DATED DECEMBER 01, 2005

STATE BAR OF GEORGIA
OFFICE OF THE GENERAL COUNSEL

WILLAM P. SMITH, III
GENERAL COUNSEL
Bar Counsel
ROBERT E. McCORMACK
Deputy General Counsel
JOHN J. SHIPTENKO
Assistant General Counsel

Disciplinary Counsel
PAULA J. FREDERICK
Deputy General Counsel
JENNY K. MITTELMAN
JONATHAN HEWETT
Sr. Assistant General Counsel
GENE CHAPMAN
KELLYN O. McGEE
REBECCA A. HALL
Assistant General Counsel
CARMEN ROJAS RAFTER
Grievance Counsel

December 1, 2005

Sgt. Emmett L. Williams
1266 Bedford Avenue
Columbus, Georgia 31903

Re: **In the Matter of Charles Douglas Best**
State Disciplinary Board Docket No. 4914

Dear Sgt. Williams:

On November 21, 2005, the Supreme Court of Georgia entered an Order disbarring Charles Douglas Best from the practice of law in Georgia. I have enclosed a copy of the Order for your records.

I spoke to Mr. Best last month. He is Presently a patient at Bethel Christian Homes, where he is being treated for an undisclosed problem. I have not been able to get information from Mr. Best regarding your case or the whereabouts of your client file.

Appendix X

With entry of the Court's Order, our investigation of Mr. Best is over. However, you may wish to file a claim with the State Bar of Georgia's Client' Security Fund, which is sometimes able to reimburse money that former clients have lost as the result of a lawyer's dishonest conduct. You may be able to recover some of the fees that you paid Mr. Best by filing an application to the Clients' Security Fund. I have enclosed a brochure that describes the Fund and an application form for your use.

If you have not already done so, you will need to hire another lawyer to complete the legal matter that Mr. Best was handling for you. Good Luck with your case

Sincerely,

/s/ Paula Frederick
Paula J Frederick
Deputy General Counsel

PJF/dmg

104 Marietta Street, N.W.- Suite 100 - Atlanta, Georgia 30303
(404) 527-8720 - (800) 334-6865 - (404) 527-8744 facsimile

Appendix X

In the Supreme Court of Georgia

Decided: NOV 21 2005
(Stamped)

S05Y1880; S05Y1881; S05Y1882; S05Y1883;
S05Y1884; S05Y1885; S05Y1886; S05Y1887

IN THE MATTER OF CHARLES DOUGLAS BEST

PER CURIAM.

These disciplinary matters are before the Court on the Notices of Discipline filed by the State Bar against Respondent Charles Douglas Best in which it recommends that Best be disbarred for his violations of Rules 1.3; 1.4; 8.4 (a) (4); and 9.3 of the Rules of Professional Conduct found in Bar Rule 4-102 (d). The State Bar Served Best by publication in accordance with Bar Rule 4-203.1 (b) (3) (ii) but Best failed to reject the notice within 30 days of service, see Bar Rule 4-208.3 (a), and accordingly, he in default, has no right to an evidentiary hearing and is subject to the discipline of this Court. See Bar Rule 4-208. 1(b).

Footnote:

We note that, for the first time, Best has filed a petition for voluntary surrender of his license with this Court. In general, However, such petitions may be submitted prior to the issuance of a formal complaint for the consideration by the State Bar, not this Court. See Bar Rule 4-227 (b).

Appendix X

In each of the eight cases, Best accepted representation and fees, but took little or no action to pursue his clients' cases. His telephone numbers were disconnected and he moved from his office with no forwarding address. He did not contact or communicate with his clients, nor did he take any action to protect their rights. Accordingly, we agree with the name of Charles Douglas Best be removed from rolls of attorneys authorized to practice law in the State of Georgia. He is reminded of his duties under Bar Rule 4-219 (c).

Disbarred. All the Justices concur.

Footnote:

Therefore, we do not consider Best's untimely petition, and it does not change the outcome in this case.

2.

APPENDIX Y – THIS IS A LETTER FROM THE STATE BAR OF GEORGIA DATED AUGUST 03, 2006 WHERE THE TRUSTEES OF THE CLIENTS' SECUIRTY FUND MET AND AGREED TO REINBURSE THE PETITIONER A TOTAL OF $1,850.00 FROM THE ATTORNEY CHARLES D. BEST'S AND THE RESPONDENTS' UNDISCLOSED DUAL AGENCY RELATIONSHIP

STATE BAR OF GEORGIA
Clients' Security Fund

August 3, 2006

Mr. Emmett L. Williams
1266 Bedford Avenue
Columbus, Georgia 31903

Re: Your Application for Relief to the Clients' Security Fund

Dear Mr. Williams:

On July 27, 2006, the trustees of the Clients' Security Fund of the State Bar of Georgia met and reviewed the application for relief you filed against Charles Douglas Best. I-am pleased to report that after careful consideration the trustees voted to pay your claim in the amount of $1,850.00.

As required by the rules governing the Clients' Security Fund, before we can forward a check to you, you must assign to the Clients' Security Fund your claim against Charles Douglas Best to the extent of 1,850.00. A copy of the rules and assignment are enclosed. Please sign the assignment in the presence of a Notary Public and return the entire executed assignment to my attention at the address shown below.

In addition, the State Bar of Georgia reports all payments from the Clients' Security Fund to the Internal Revenue Service via IRS Form 1099. For this reason, you must complete and sign the enclosed Request for Taxpayer Identification Number form and return it to us along with the executed assignment. At the end of

Appendix Y

this year, you will receive IRS form 1099. You should consult with an accountant or tax professional to determine if this amount should be considered taxable income.

After receiving the executed assignment and tax form, I will promptly forward your check by certified mail. You may also arrange to pick the check up at State Bar Headquarter by calling me at (404) 527-8771.

If you have any questions please feel free to contact me at (404) 527-8771.

Sincerely,

/s/ BrossDerrickson
Betty Ross Derrickson
Paralegal

Enclosures

APPENDIX Z – THIS IS A LETTER FROM THE STATE BAR OF GEORGIA DATED SEPTEMBER 06, 2006 WHERE THE TRUSTEES OF THE CLIENTS' SECURITY FUND MADE A REIMBURSEMENT TO THE PETITIONER FOR A TOTAL OF $1,850.00 FOR THE ATTORNEY CHARLES D. BEST'S AND THE RESPONDENTS' UNDISCLOSED DUAL AGENCY RELATIONSHIP

STATE BAR OF GEORGIA
Clients' Security Fund

September 6, 2006

Certified Mail
Return Receipts Requested

Mr. Emmett L. Williams
1266 Bedford Avenue
Columbus, Georgia 31903

Re: Your Application for Relief to the Clients' Security Fund

Dear Mr. Williams:

This will acknowledge receipt of the executed Assignment and Request for Taxpayer Identification Number form W-9, which appears to be in order. Accordingly, please find enclosed a check made payable to you in the amount of 1,850.00. **We hope this payment, at least to some extent, help remedy the loss you have suffered.**

Sincerely,
/s/ BrossDerrickson
Betty Ross Derrickson
Paralegal

Enclosure

104 Marietta Street – Suite 100 – Atlanta, Georgia 30303
(404) 527-8720 – (800) 334-6865 – (404) 527-8744 facsimile

(2) 06-507

IN THE

Supreme Court of the United States

Supreme Court, U.S.
FILED
NOV 18 2006
OFFICE OF THE CLERK

Sgt. Emmett L. Williams
Petitioner, Plaintiff
-Vs.-

State of Georgia, "et al." **05-17046-B** (06-507), and three other **Incorporated or Amended** Conspiracy Cases: Cases Numbers: 05-15760-C (05-1644), 05-15648-J (06-125), and 05-11275-A (05-833)
Respondents, Defendants

(28 U.S.C. &2403(a)), The Petitioner is Requesting a Full Panel Rehearing of all (9) nine JUSTICES where the Petitioner will present this question to all (9) nine **JUSTICES "as to whether do they believe that the Petitioner should be Discriminated against solely on the bases of the color of his skin"** because the Respondents violated (7) seven counts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing **(1:02-CV-2197)** where the Petitioner has already **Won** a favorable Decision with the **State Bar of Georgia**, and the Petitioner has already **Won** a favorable Decision **In The State Supreme Court of Georgia** where the Attorney Charles D. Best was **Disbarred** for violating his Fiduciary Responsibilities to his Client (the Petitioner) under an Undisclosed Dual Agency Relationship in this case where the U.S. District Court has already made a ruling that will **Allow** the Petitioner the **Right to sue** the Attorney Charles D. Best under the Lawsuit Amendment **05-1644** that is now in the United States Supreme Court where the U.S. District Court has Dismissed and Released all of the white Respondents in this case under the very same Undisclosed Dual Agency Relationship violations, but in accordance with State, Federal, and Constitutional Laws, the Petitioner has already **Rescinded** any and all transactions made under an Undisclosed Dual Agency Relationship including the February 12, 2003 Dismissal of the Petitioner's E.E.O.C. August 08, 2002 Lawsuit **(1:02-CV-2197)** that does not **Bear** the Petitioner Signature for Dismissal as being **"the Only Party of Consent"** as the Lawsuit's Creator and Originator that makes the Petitioner's E.E.O.C. August 08, 2002 Lawsuit **(1:02-CV-2197) a valid and enforceable lawsuit** where **"the doctrine of res judicata" CANNOT and does not** apply or exist as long as the Petitioner's Lawsuit Amendments **(05-833, 05-1644, 06-125, and 06-507)** are filed under the Petitioner's E.E.O.C. August 08, 2002 Lawsuit **(1:02-CV-2197)** as only (1) one E.E.O.C. Lawsuit **(28 U.S.C. &2403(a))**

Petition for a Writ of Certiorari to the United States Court of Appeals for the Eleventh Circuit and the United States District Court for Northern District of Georgia

PETITION FOR WRIT OF CERTIORARI

Sgt. Emmett L. Williams, Pro-Se Litigant
1266 Bedford Avenue, Columbus, Georgia 31903

IN THE NAME OF JUSTICE BECAUSE JUSTICE SO REQUIRES

Question Presented.

(28 U.S.C. &2403(a)). **On August 08, 2002**. it was the Petitioner that created and filed his **own lawsuit** in Federal Court before the Attorney Charles D. Best was hired on **September 09, 2002** where the Georgia State Law of Undisclosed Dual Agency and Federal Retaliation and Discrimination Laws of the E.E.O.C and the United States Constitution under Titles I, V, and VII have **RESERVED** all the rights of the Petitioner **to RESCIND** any and all transactions made under a Undisclosed Dual Agency Relationship including the February 12, 2003 Dismissal of the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) **that does not BEAR the Petitioner's Signature for Dismissal as being "the Only Party of Consent" as the Lawsuit's Creator and Originator** that makes the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit (1:02-CV-2197) **a valid and enforceable lawsuit** where **"the doctrine of res judicata" CANNOT and does not** apply of exist in any the Petitioner's E.E.O.C. Lawsuit Amendments **(05-833, 05-1644, 06-125, and 06-507)** as long as these E.E.O.C. Lawsuit Amendments are filed under the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit Case **(1:02-CV-2197)** including the fact that Judges Oakley and Baird are not eligible for **"Judicial Immunity"** because Judges Oakley and Baird acted **"In Clear Absence of all Jurisdiction"** where Judges Oakley and Baird acted outside of the Georgia's Performance Management Process by not requiring a P.M.P. during these proceedings as an act that was outside of the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII **(Read Pages x through xiv) (28 U.S.C. &2403(a)).**

Addressed To: The Honorable JOHN GROVER ROBERTS
Addressed To: The Honorable CLARENCE THOMAS
Addressed To: The Honorable RUTH BADER GINSBURG
Addressed To: The Honorable SAMUEL A. ALITO
Addressed To: The Honorable SAM BODMAN
Addressed To: The Honorable STEPHEN J. BREYER
Addressed To: The Honorable ANTHONY M. KENNEDY
Addressed To: The Honorable JOHN PAUL STEVENS
Addressed To: The Honorable DAVID HACKETT SOUTER

Office of the Clerk, William K. Suter, Clerk of the Court
1 First Street, N.W., Washington, D.C. 20543

TABLE OF CONTENTS

Question Presented....................... i
Table of Contents.......................... ii
Certificate of Interested Persons And
Corporate Disclosure Statement....viii, iv, v, vi, and vii

Reason for Granting this Writ is because it was the Petitioner that **created and filed** his **OWN LAWSUIT** in Federal Court **on August 08, 2002** before the Attorney Charles D. Best was hired into this case on **September 09, 2002** where **"the doctrine of res judicata" CANNOT and does not** apply or exist in any of the Petitioner's E.E.O.C. Lawsuit Amendments **(05-833, 05-1644, 06-125, and 06-507) as long as these Lawsuit Amendments are filed under the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit Case (1;02-CV-2197) as only (1) One E.E.O.C. August 08, 2002 Lawsuit (1;02-CV-2197)** where the Petitioner has **RESCINDED** the February 12, 2003 Dismissal of the Petitioner's August 08, 2002 Lawsuit **(1;02-CV-2197)** that does not **BEAR** the Petitioner's Signature for Dismissal as being **"the Only Party of Consent"** as the Lawsuit's Creator and Originator that makes the Petitioner's E.E.O.C. August 08, 2002 Lawsuit **(1:02-CV-2197) a valid and enforceable lawsuit**...viii, ix, x, xi, xii, xiii, and xiv
(Please Read Pgs. x through xiv)
Table of Authorities.................xv, xvi, xvii, and xviii
Table of Appendices Exhibits......xviii, xix, and xx

Title page.................................... 1
Statement of Jurisdiction.................. 2

Statement of the Case.................. 3, 4, 5, 6, 7, and 8
Conclusion.....................................9 and10

CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT

Sgt. Emmett L. Williams –vs.- State of Georgia "et al." Case No, 05-17046-BB (06-507), and three other **Incorporated or Amended** Conspiracy Cases known as: Appeal Cases 1:05-CV-1303 (05-1644), 1:04-CV-2415 (05-833), 1:05-CV-1781 (06-125), and 1:05-CV-2274 (06-507)

The undersigned Petitioner, Sgt. Emmett L. Williams, hereby certifies that the following is a complete list of person and entities that who have an interest in the outcome of this case:

(a) Sgt. Emmett L. Williams, Petitioner
(b) The State of Georgia DOD National Guard Headquarters under;
(c) Maj. Gen. David Poythress, Commander, as a related Respondent and not eligible for "res Judicata" and **BARRED** by State, Federal, and Constitutional Law after the Petitioner' August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**
(d) Thomas H. Blackstock, Facilities Manager, as a related Respondent and not eligible for "res judicata" and **BARRED** by State, Federal, and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(e) James Bruno, Chief of Staff and Appointing Authority, as a related Respondent and not eligible for "res judicata" and **BARRED** by State, Federal and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(f) Kenneth R. Weldrep, J.A.G. and Prosecuting Attorney, as a related Respondent and not eligible for "res judicata" or "Judicial Immunity" and **BARRED** by State, Federal, and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(g) Lois Oakley, State Administrative Hearing Chief Law Judge, as a related Respondent and not eligible for "res judicata" and "Judicial Immunity" and **BARRED** by State, Federal, and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(h) W. Joseph Baird, state Administrative Hearings Judge, as a related Respondent not eligible for "res judicata" and "Judicial Immunity" and **BARRED** by State, Federal, and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(i) Ed. Chamberlain, DOD Personnel Administrator, as a related Respondent not eligible for "res judicata" and **BARRED** by State, Federal, and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a))**

(j) Sandra Bruce, DOD Personnel Administrator, as a related Respondent and not eligible for "res judicata" and **BARRED** by State, Federal, and Constitutional Law before and after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(k) Raymond Faunt, Security Manager and the Plaintiff's Immediate Supervisor, as a related Respondent and not eligible for "res judicata" and **BARRED** by State, Federal, and Constitutional Law before and after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(l) Charles D. Best, illegal and unlawfully Conducted a Undisclosed Dual Agency Relationship as a Georgia Licensed Attorney, as a related Respondent not eligible for "res judicata" and **BARRED** by State, Federal, and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(m) G. Melton Mobley, the Respondents' Attorney and not eligible for "res judicata" and **BARRED** by State, Federal, and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(n) Bryan K. Webb, the Respondents' Attorney and not eligible for "res judicata" and **BARRED** by State Federal, and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(o) Dennis R. Dunn, the Respondents' Attorney and not eligible for "res judicata" and **BARRED** by State, Federal, and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(p) Thurbert E. Baker, the Respondents' Attorney and not eligible for "res judicata" and **BARRED** by State, Federal, and Constitutional Law after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a))**

(q) Robert L. Vining, Jr. United States District Judge CANNOT Condone, Support, or Cooperate Within the Jim Crow Mechanics of a Constitutional Raping; and CANNOT Unconstitutionally or Discriminatorily use "res judicata" and "Judicial Immunity" from the Respondents' Perjured Non-Existence September 10, 2001 Lie and the Respondents' Perjured Non-Existence 180 days Lie as

Reasons, Grounds, or Merits to Dismiss, Cover Up, or Justify the Respondents' Criminal Conduct and Activities of (7) seven counts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

(r) Gerrilyn G. Brill, United States Magistrate Judge **CANNOT** Condone, Support, or Cooperate Within the Jim Crow Mechanics of a Constitutional Raping; and **CANNOT** Unconstitutionally or Discriminatorily use "res judicata" and "Judicial Immunity" on top of the Respondents' Perjured Non-Existence September 10, 2001 Lie and the Respondents' Perjured Non- Existence 180 days Lie as Reasons, Grounds, or Merits to Dismiss, Cover Up, or Justify the Respondents' Criminal Conduct and Activities of (7) seven counts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

/s/ Emmett L. Williams
Sgt. EMMETT L. WILLIAMS, Petitioner
Pro-Se Litigant

The Reason for Granting This Writ is Because the Petitioner has **RESCINDED** any and all transactions made under a Undisclosed Dual Agency Relationship including the February 12, 2003 Dismissal of the Petitioner's August 08, 2002 Lawsuit that does not **BEAR** the Petitioner's Signature for Dismissal as being "the Only Party of Consent" as the Lawsuit Creator and Originator that makes the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) a valid and enforceable lawsuit where these Lawsuit Amendments **(1:04-CV-2415, 1:05-CV-1303, 1:05-CV-1781, and 1:05-CV-2274)** were filed under the Petitioner's E.E.O.C. August 08, 2002 Lawsuit (1:02-CV-2197) **that all came together as apart of only (1) one E.E.O.C. Lawsuit (1:02-CV-2197)** including the fact that Judges Oakley and Baird are not eligible for "Judicial Immunity" Because Judges Oakley and Baird acted **"In Clear Absence of All Jurisdiction"** (28 U.S.C. &2403(a)).

It is unconstitutional and discriminatory for the United States Federal Court **to ALLOW** the Respondents **to actually BENEFIT** from their own illegal, unlawful, unconstitutional, and discriminatory Criminal Conduct and Activities of (7) seven counts of Obstructing Federal Justice and (2) two counts Perjury while violating and breaking State, Federal, and Constitutional Laws after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197) by dismissing this Lawsuit Amendment of this Federal Case (1:02-CV-2197) and by denying the Petitioner his day in Court **(28 U.S.C. &2403(a)).**

"The doctrine of res judicata" **CANNOT** apply or exist as long as these Lawsuit Amendments or Case Files **(1:04-CV-2415, 1:05-CV-1303, 1:05-CV-1781, and 1:05-CV-2274)** are filed under the Petitioner's E.E.O.C. August 08, 2002 Lawsuit (1:02-CV-2197) as apart of only (1) one E.E.O.C. Lawsuit (1:02-CV-2197) **(28 U.S.C. &2403(a).**

The Petitioner is requesting **that the United States Attorneys Office under DAVID NAHNIAS and MELAINE WILLIANS with the United States Solicitor General Office unde PAUL CLEMENT** to conduct a Full Scale Investigation of the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit Case (1:02-CV-2197) including all (4) Federally Filed Lawsuit Amendments or Case Files that were filed under this Federal Case (1:02-CV-2197) where these Amendments or Case Files **(05-833, 05-1644, 06-125, and 06-507) in the United States Supreme Court** are filed under the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit (1:02-CV-2197) that were also filed to inform the Federal Court of the Respondents' Criminal Conduct and Activities of **(7)** seven Counts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing **(1:02-CV-2197)(28 U.S.C. &2403(a)).**

The Main Purpose For Bring This Lawsuit To The Supreme Court Of The United States:

1. The Respondents **Obstructed Federal Justice** on September 27, 2002 **after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197)** by forming an Undisclosed Dual Agency Relationship with the Attorney Charles D. Best **(28 U.S.C. &2403(a)).**

2. The Respondents **Obstructed Federal Justice** on September 27, 2002 **after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197)** by the Respondents purchasing and the Attorney Charles D. Best selling the United States Courthouse Serving Papers and **DEAD DOCKETING** the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit Case (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

3. The Respondents **Obstructed Federal Justice** on September 27, 2002 **after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197)** by the Respondents terminating the Petitioner's Employment from the State of Georgia DOD **without a Performance Management Plan (P.M.P.) or any other justifiable Probable Causes** just because the Petitioner filed his E.E.O.C. **August 08, 2002** Lawsuit in Federal Court

and had them served with that lawsuit on **September 27, 2002** by the Attorney Charles D. Best **(28 U.S.C. &2403(a)).**

4. The Respondents **Obstructed Federal Justice** during the months of November and December of 2002 **after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197)** by allowing and conducting State Hearing Proceedings without a Performance Management Plan (P.M.P.) or any other justifiable Probable Causes where Judges Oakley and Baird is not eligible for "Judicial Immunity" because Judges Oakley and Baird acted "In Clear Absence of All Jurisdiction" where Judges Oakley and Baird acted outside of Georgia Performance Management Process by allowing these Proceedings to continue without a P.M.P. as an act that was outside of the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII **(28 U.S.C. &2403(a))**

5. The Respondents **Obstructed Federal Justice** and Perjury before, on, and after January 13, 2003 **after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197)** by the Respondents and the Attorney Charles D. Best refusing to disclose

knowledgeable and known facts of Obstructing Federal Justice to the Federal Courts where the Respondents and the Attorney Charles D. Best's acts of silence were an act of Obstructing Federal Justice and Perjury before, on, and after the fact (28 U.S.C. &2403(a)).

6. The Respondents **Obstructed Federal Justice** on February 12, 2003 **after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197)** by the Respondents and the Attorney Charles D. Best under a Undisclosed Dual Agency Relationship Dismissed the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit Case (1:02-CV-2197)….. where the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitutional Under Titles I, V, and VII have **RESERVED** all rights of the Petitioner **to RESCIND** any and all transactions made under a Undisclosed Dual Agency Relationship including the February 12, 2003 Dismissal of the Petitioner's August 08, 2002 Lawsuit Case (1:02-CV-2197) that does not **BEAR** the Petitioner's Signature as "the Only Party of Consent" as being the Lawsuit's Creator and Originator that makes the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) a valid and

enforceable lawsuit where "the doctrine of res judicata" **CANNOT and does not** apply or exist because the Petitioner's Lawsuit Amendments **(05-833, 05-1644, 06-125, and 06-507) in the Supreme Court of the United States** are filed under the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit Case (1:02-CV-2197) as only (1) one E.E.O.C. Lawsuit Case **(1:02-CV-2197) (28 U.S.C. &2403(a)).**

7. The Respondents and the Respondents' Attorneys **Obstructed Federal Justice** after the Petitioner's August 19, 2004 Amendment Filing of 1:04-CV-2415 and **after the Petitioner's August 08, 2002 Lawsuit Filing (1:02-CV-2197)** by the Respondents and the Respondents' Attorneys (**Known As: G. Melton Mobley, Bryan K. Webb, Dennis R. Dunn, and Thurbert E. Baker)** creating the Respondents' Perjured Non-Existence September 10, 2001 Lie and the Respondents' Perjured Non-Existence 180 days Lie **where the Magistrate Judge, the District Judge, and the Appeal Judges herein the State of Georgia refused to accepted the Petitioner's Documented proof and evidences that these are Perjured Lies** because the Petitioner's E.E.O.C. 300 days and 90 days statues

started and existed from **October 22, 2001 to August 18, 2002 as a total of 300 days** and **May 15, 2002 to August 13, 2002 as a total of 90 days** where the Petitioner's Lawsuit was filed in Federal Court on **August 08, 2002** that was filed within the legal Filing limits **of the E.E.O.C. 300 days and 90 days statues** that came under the Federal Judiciary Protection Powers of the Federal Courts on and after August 08, 2002 where the Respondents and the Respondents' Attorneys Obstructed Federal Justice and commented an act of Perjury by refusing to disclose knowledgeable and known material facts to the Federal Courts as an act to confuse and deceive the Federal Courts in this case with Perjured Non-Existence Lies **(28 U.S.C. &2403(a))**.

It is totally impossible for anyone to conceive that all (9) nine Supreme Court Justices of the United States of America would allow Criminal Conduct and Activities of (7) seven counts of Obstructing Federal Justice and (2) two counts of Perjury to **DOMINATE** all the Federal E.E.O.C. and United States Constitutional Laws after the Petitioner's E.E.O.C. August 08, 2002 Lawsuit Filing **(1;02-CV-2197)** without any of the Supreme Court Justices ever offering an Opinion from any of their Discussions over the course of these Lawsuit Amendments **(05-833, 05-1644, 06-125, and 06-507)** (28 U.S.C. &2403(a)).

TABLE OF AUTHORITIES

Facts:

a.) The United States Constitution
b.) The Declaration of Independence
c.) The Emancipation Proclamation
d.) The 13th, the 14th, the 15th, and the 19th Amendments to the United States Constitution
e.) The United States Constitutional Civil Rights Acts of 1964, 1981, and 1991 as amended "et."
f.) The Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution that under Title I, Title V, and Title VII
g.) The Georgia Commission on Equal Opportunity Letter Dated October 22, 2001 from Mr. Todd S. Garrison that confirms that the starting date of the Petitioner's 300 days filing Statutory Period was October 22, 2001 that is undeniable and undisputed by the Respondents
h.) The U.S. Equal Employment Opportunity Commission Right to Sue Letter Dated May 15, 2002 that is undeniable and undisputable by the Respondents
i.) The State Bar of Georgia Letter from the Office of the General Counsel that confirms that the Attorney Charles D. Best is a shady and unscrupulous individual at best dated July 20, 2005 where all transactions made by the Attorney Charles D. Best and the Respondents have been **RESCINDED**.

j.) GEORGIA STATE LAW GENERAL DEFINITION OF DUAL AGENCY: A dual agency arrangement is one in which an agent has been empowered to act for more than one party in a particular transaction. Dual Agency is only allowed with the knowledge and consent of all parties involved, and the agreement for such a relationship must be in writing. Without proper disclosure of the dual agency, no commission or fee may be earned by the agent, the agent may be liable to one or more parties for actual and /or punitive damages, and in some circumstance, one or more parties to the transaction may elect to rescind the transaction.

k.) The State of Georgia Performance Management Forms under the year 2000 ending dates that give a clear description as to the Petitioner's Employment History and Job Expectations that is undeniable and undisputable by the Respondents

l.) The Georgia Department of Defense Letter from the State Personnel Office Dated March 12, 2001 by Defendant Sandra Bruce that confirms the Effective Date of May 01, 1998 for the State DOD Personnel Policies and Procedures that is undeniable and undisputable by the Respondents

m.) The Georgia Department of Defense Personnel Policies and Procedures with the Effective Date of May 01, 1998 that is undeniable and undisputable by the Respondents

n.) DCS-OPS-MS (190) Regulated Job Description Dated 29 June 1995 that confirms that the Petitioner has been exercising his Authority since 1995 of authorizing and scheduling Leave for himself and his employees.

o.) A State of Georgia Training Certificate that was issued to the Petitioner and signed by the Governor Zell Miller for the successful completion of this training that makes the Petitioner an authority on this subject that is undeniable and undisputable by the Respondents

p.) The Performance Management Process Training under the Georgia Gain Guidelines of S.M.A.R.T. was never conducted by the Respondents with a P.M.P. as apart of the State DOD Personnel Policies and Procedures when the Respondents terminated the Petitioner's Employment that was in direct violations of the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution that is undeniable and undisputable by the Respondents

q.) The Letter from Kaiser Permanente Dated September 20, 2002 that confirms that the Petitioner was under the Doctor's Care and Treatment awaiting surgery when the

Respondents violated the E.E.O.C. Title I, Title V, and Title VII by Harassing and Terminating the Petitioner's Employment for filing his Lawsuit in Federal Court on August 08, 2002 that is undeniable and undisputable by the Respondent

r.) The Leave Grids signed by Sgt. Williams while under the non-established supervision of Mark Williams that was not in accordance to the State of Georgia DOD Policies, Procedures, Guidelines, and Regulations that confirms that the Petitioner was still authorizing Leave for himself and his employees that is undeniable and undisputable by the Respondents

s.) The Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) that was filed within the legal filing limits of the E.E.O.C. 300 days and 90 days statues that came under the Federal Judiciary Protection Powers of the Federal Courts on and after August 08, 2002 that are undeniable and undisputable by the Respondents.

SEPARATE DOCUMENTED FACTS AND EVIDENCES APPENDICES

THE PETITIONER HAS ALREADY WON FAVORABLE DECISIONS WITH THE STATE BAR OF GEORGIA AND IN THE SUPREME COURT OF GEORGIA UNDER THE ATTORNEY CHARLES D. BEST'S UNDISCLOSED DUAL AGENCY RELATIONSHIP

1. **Exhibit A** - This is a letter from the State Bar of Georgia, Office of the General Counsel where the State confirms that Attorney Charles D. Best is shady and unscrupulous Dated July 20, 2005, (1. and 2.)

2. **Exhibit B** - This is a letter from the State Bar of Georgia and the Georgia Supreme Court disbarring the Attorney Charles D. Best dated December 01, 2005, (3., 4., 5., and 6.)

3. **Exhibit C** - This is a Letter from the State Bar of Georgia Client's Security Fund Dated August 03, 2006 **where the trustees voted to pay the Petitioner a total of $1,850.00 from the shady and unscrupulous conduct and activities of the Attorney Charles D. Best undisclosed Dual Agency Relationship,** (7. and 8.)

4. **Exhibit D** - This is another letter from the State Bar of Georgia Client's Security Fund Dated September 06, 2006 where the Client's Security Fund issued the Petitioner an assignment check $1,850.00 from the shady and unscrupulous conduct and activities of the Attorney Charles D. Best undisclosed Dual Agency Relationship (9.)

IN THE
Supreme Court of the United States

Sgt. Emmett L. Williams
Petitioner, Plaintiff
-Vs.-
State of Georgia, "et al." **05-17046-BB (06-507)**, and three other **Incorporated or Amended** Conspiracy Cases known as: Appeal Cases: 05-17046-BB (06-507) and 05-15648-JJ (06-125), and 05-11275-AA (05-833)
Respondents, Defendants

Petition for a Writ of Certiorari To the United States Court of Appeal for the Eleventh Circuit and For the Northern District of Georgia

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The Petitioner, Sgt. Emmett L. Williams, prays that a Writ of Certiorari is issued as to review the Decisions, Orders, and Judgments of the United States District Court for Northern District of Georgia and the United States Court of Appeals For the Eleventh Circuit entered in this proceeding on October 14, 2005, November 29, 2005, June 20, 2006, and August 24, 2006, 2006 where all of the Petitioner's Lawsuit Amendments or Case Files (1:04-CV-2415, 1:05-CV-1303, 1:05-CV-1781, and 1:05-CV-2274) were filed under the Petitioner's E.E.O.C. August 08, 2002 Lawsuit (1:02-CV-2197) as only (1) one E.E.O.C. Lawsuit (1:02-CV-2197) where the Petitioner's Petition for Certiorari should be Granted under these conditions described above (28 U.S.C. &2403(a))

Jurisdiction.

The Decisions, Orders, and Judgments of the United States District Court were entered on October 14, 2005 and November 29, 2005 and the United States Court of Appeals was entered on June 20, 2006. The Petition for rehearing and rehearing En Banc were denied on August 24, 2006, and this Petition for Certiorari has been filed within 90 days, **and in accordance with State and Federal Laws** where the Petitioner has **RESCINDED** any and all transactions made under a Undisclosed Dual Agency Relationship including the February 12, 2003 Dismissal of the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) **that does not BEAR** the Petitioner's Signature for Dismissal as being **"the Only Party of Consent"** as the Lawsuit's Creator and Originator that makes the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) a valid and enforceable lawsuit where **"the doctrine of res judicata"** does not apply or exist. The Jurisdiction of this Court is invoked under 42 U.S.C. &2000e-5(f) and 28 U.S.C. &1331, &1337, 1343(4), & 28 U.S.C. &2403(a) because the Petitioner is a "person" within the meaning of 42 U.S.C. &2000e(a) and is subject to the jurisdiction of this Federal Court. Jurisdiction is founded upon the Constitution of the United States pursuant to the Civil Rights Act of 1964 (Title VII), as amended by the Act of 1991, 42 U.S.C., &2000e et. seq., to include Titles I and V of the A.D.A. of 1990; and upon the inherent and the traditional powers of this Court to do Justice.

Statement of Case

(28 U.S.C. &2403(a)), The Respondents have totally disregarded State, Federal, and Constitutional Laws where the Respondents have sabotaged and derailed the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit Case (1:02-CV-2197) where it is unconstitutional and discriminatory for the Federal Courts to **ALLOW** the Respondents the ability to actually benefit from their own violations of (7) seven counts of Obstructing Federal Justice and (2) two counts of Perjury after the Petitioner's E.E.O.C. August 08, 2002 Lawsuit Filing (1:02-CV-2197) **that came under the Federal Judiciary Protection Powers of the Federal Courts on and after August 08, 2002 (28 U.S.C. 2403(a)).**

The Petitioner has already **WON** a favorable Decision with the **STATE BAR OF GEORGIA** in this case, and the Petitioner has already **WON** a favorable Decision with the **IN THE STATE SUPREME COURT OF GEORGIA** in this case where the Attorney Charles D. Best was **DISBARRED** for violating his Fiduciary Responsibilities to his Client (the Petitioner) in this case because on **September 27, 2002**, the Respondents were served the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit Complaint (1:02-CV-2197) by the Attorney Charles D. Best where on **September 27, 2002**, the Respondents and the Attorney Charles D. Best formed an illegal, unlawful, unconstitutional, and discriminatory Undisclosed Dual Agency Relationship where on **September 27, 2002**, the Respondents and the Attorney Charles D. Best **purchased and sold** the United States Courthouse Served Papers that **DEAD DOCKETED** the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit Case **(1:02-CV-2197)** as the Respondents and the Attorney Charles D. Best reduced the Petitioner's United States American Citizenship down to something less than a **SLAVE** where on **September 27, 2002**, the Respondents proceeded by terminated the Petitioner's Employment from the State of Georgia without a P.M.P. or any other Justifiable Probable Causes **where in accordance to State, Federal, and Constitutional Laws**, the Georgia State Law of Undisclosed Dual Agency and Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles, I, V, and VII **have RESERVED** all rights of the Petitioner **to RESCIND** any and all transactions made under **a Undisclosed Dual Agency Relationship** including the February 12, 2003 Dismissal of the Petitioner's August 08, 2002 Lawsuit (1:02-CV-2197) **that does not BEAR the Petitioner's Signature for Dismissal as being "the Only Party of Consent" as the Lawsuit's Creator and Originator** that makes the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit (1:02-CV-2197) **a valid and enforceable lawsuit** where "the doctrine of res judicata" **CANNOT and does not** apply or exist as long as the Petitioner's

Lawsuit Amendments (05-833, 05-1644, 06-125, 06-507) are filed under the Petitioner's E.E.O.C. August 08, 2002 Lawsuit (1:02-CV-2197) as only (1) one E.E.O.C. Lawsuit (1:02-CV-2197) **(28 U.S.C. &2403(a))**.

Judges Oakley and Baird are not eligible for "Judicial Immunity" because Judges Oakley and Baird acted "In Clear Absence of All Jurisdiction" because Judges Oakley and Baird acted outside of the Georgia Performance Management Process by not requiring a Performance Management Plan (P.M.P.) during these proceedings as an act that was outside of the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII (28 U.S.C. &2403(a)).

On AUGUST 08, 2002, it was the Petitioner that **CREATED** and **FILED HIS OWN LAWSUIT** in Federal Court on August 08, 2002 before the Attorney Charles D. Best was hired on **September 09, 2002 where "the doctrine of res judicata" CANNOT and does apply or exist in any of the Petitioner's Lawsuit Amendments (05-833, 05-1644, 06-125, and 06-507) as long as the Petitioner's Lawsuit Amendments are filed under the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit Case (1:02-CV-2197)** as only (1) one E.E.O.C. August 08, 2002 Lawsuit (1:02-CV-2197) **(28 U.S.C. &2403(a)).**

The United States District Court for the Northern District of Georgia has already rendered **an order** that will **ALLOW the Petitioner** to **SUE** the Attorney Charles D. Best as the only **BLACK Respondent** in this case **under the Petitioner's E.E.O.C. Amendment 1:05-CV-1303 (05-1644) that is filed in the United States Supreme Court under the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit Case (1:02-CV-2197)** under the charges of violating the Petitioner's United States Guaranteed Constitutional Civil Rights, Liberties, and Freedoms while engaged in a illegal, unlawful, unconstitutional, and discriminatory Undisclosed Dual Agency Relationship with the Respondents, **but at the same time**, the United States District Court for the Northern District of Georgia has **issued another order** that dismisses and protects all of the **WHITE Respondents** from being prosecuted in this same case with a **"false doctrine of res judicata"** and with a **"false doctrine of Judicial Immunity" that CANNOT and do not** apply or exist in the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit Case **(1:02-CV-2197)** as long as the Petitioner's Lawsuit Amendments (05-833, 05-1644, 06-125, and 06-507) are filed under the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit Case (1:02-CV-2197) where the United Stated District Court for the Northern District of Georgia has unconstitutionally and discriminatorily released all of the **WHITE Respondents from all liabilities**

in this case that were involved and named in the Petitioner's Lawsuit Amendments **(05-833, (05-1644), (06-125), and (06-507)) that are filed in the United States Supreme Court under the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit Case (1;02-CV-2197) (28 U.S.C. &2403(a)).**

The United States District Court for the Northern District of Georgia will **ALLOW** the Petitioner to **SUE** the Attorney Charles D. Best **as the only Black Respondent in this case** for violating and breaking State, Federal, and Constitutional Laws that violated the Petitioner's United States Guaranteed Constitutional Civil Rights, Liberties, and Freedoms as a Black Disabled United States American Citizen under a Undisclosed Dual Agency Relationship with the Respondents, **but at the same time**, the Petitioner **WILL NOT** be **ALLOWED** to **SUE** any of the **WHITE Respondents under this same Undisclosed Dual Agency Relationship with the Attorney Charles D. Best** where the Respondents violating and breaking those same State, Federal, and Constitutional Laws with the Attorney Charles D. Best where it is unconstitutional and discriminatory because if the **WHITE Respondents had not used of STATE and FEDERAL FUNDS** to created a marketable situation to **purchase** then the Attorney Charles D. Best **as the only BLACK Respondent in this Lawsuit** would have not had a marketable situation to sell the United States Courthouse Serving Papers because the Attorney Charles D. Best had from **September 27, 2002 to December 06, 2002 to filed the Courthouse Serving Paper in to the Federal Courthouse after the Respondents were served on September 27, 2002 (28 U.S.C. &2403(a)).**

The only way of resolving this entire matter with the goal of being totally **JUSTICE** and totally **TRUTHFUL** is to **ALLOW** the Petitioner the ability to exercise his United States Guaranteed Constitutional Civil Rights, Liberties, and Freedoms under Title I, V, and VII of taking all of the Respondents that are related to the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit Case (1:02-CV-2197) to Federal Court where all of the Respondents will have a chance to make their own Pleads and Arguments in a Federal Court of Law under a Federal Judge and a Federal Jury, and then allow the Judge and the Jury to a make a decision after all of the evidences and Facts have been presented to the court as to determining as to what is truthful and factual, and what is not under the Petitioner's only (1) one E.E.O.C. August 08, 2002 Federally Filed lawsuit Case (1:02-CV-2197) (including the Petitioner's Lawsuit Amendments **(05-833, 05-1644, 06-125, and 06-507)**) (28 U.S.C. &2403(a)).

CONCLUSION

The **starting and ending dates** of the Petitioner's E.E.O.C. 300 days and 90 days statues existed from **October 22, 2001 to August 18, 2002 as a total of 300 days** and from **May 15, 2002 to August 13, 2002 as a total of 90 days** where **the Petitioner's E.E.O.C. Lawsuit was filed in Federal Court by the Petitioner on August 08, 2002** that was filed within the legal filing limits of the E.E.O.C. 300 days and 90 days statues **that came under the Federal Judiciary Protection Powers of the Federal Courts on and after August 08, 2002 (28 U.S.C. &2403(a)).**

The Petitioner is requesting the Assistance of the United States Department of Justice United States Attorney's Office under **DAVID NAHMIAS** and **MELAINE WILLIAMS** and the United States Solicitor General's Office under **PAUL CLEMENT** as to defending and confirming the Constitutionality of the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit Case (1:02-CV-2197), and the Petitioner's Lawsuit Amendments **(05-833, 05-1644, 06-125, and 06-507)** that are filed under the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit **(1:02-CV-2197)** as being only **(1)** one valid and enforceable E.E.O.C. Lawsuit Case where the Respondents' Criminal Conduct and Activities violated **(7)** seven courts of Obstructing Federal

Justice and **(2)** two courts of Perjury after the Petitioner's August 08, 2002 Lawsuit Filing where the Petitioner's August 08, 2002 Federally Filed Lawsuit Case **(1:02-CV-2197)** was already under the Federal Judiciary Protection Powers of the Federal Courts on and after August 08, 2002 where it is clear that as of **September 27, 2002** that the Respondents' Criminal Conduct and Activities formed an illegal, unlawful, unconstitutional, and discriminatory Undisclosed Dual Agency Relationship with the Attorney Charles D. Best, terminated the Petitioner's Employment from the State of Georgia without a Performance Management Plan **(P.M.P)** or any other justifiable Probable Causes, and then purchased the United States Courthouse Serving Papers from the Attorney Charles D. Best that **DEAD DOCKETED** this August 08, 2002 Federally Filed Lawsuit Case **(1:02-CV-2197)** that displayed a total disregard for all State, Federal, and Constitutional Laws while the Petitioner's was under the Doctor's Care and Treatment awaiting surgery **(28 U.S.C. &2403(a)).**

For all of the foregoing reasons above, the Petitioner's Petition for Certiorari should be granted and all future proceedings should be consistent with this action.

Respectfully Submits,
/s/ EMMETT L. WILLIAMS
Sgt. Emmett L. Williams,
Pro-Se Litigant

APPENDIX EXHIBITS

PAGES FROM: (1. thru 9.)

EXHIBITS: (A THRU D)

On August 08, 2002, it was the Petitioner that **Created and Filed** his **OWN LAWSUIT** in Federal Court on August 08, 2002 before the Attorney Charles D. Best was hired into this case on September 09, 2002 **where "the doctrine of res judicata" CANNOT and does not** apply or exist in any of the Petitioner's E.E.O.C. Lawsuit Amendments **(05-833, 05-1644, 06-125, and 06-507)** as long as these Lawsuit Amendments are filed under the Petitioner's E.E.O.C. August 08, 2002 Federally Filed Lawsuit Case **(1:02-CV-2197)** as only **(1)** one E.E.O.C. August 08, 2002 Lawsuit Case **(1:02-CV-2197)** where the Petitioner has **RESCINDED** any and all transactions made under a Undisclosed Dual Agency Relationship including the February 12, 2003 Dismissal of the Petitioner's August 08, 2002 Lawsuit **(1:02-CV-2197)** that does not **BEAR** the Petitioner's Signature for Dismissal as being **"the Only Party of Consent"** as the Lawsuit's Creator and Originator that makes the Petitioner's E.E.O.C. August 08, 2002 Lawsuit **(1:02-CV-2197) a valid and enforceable Lawsuit** including the fact that Judges Oakley and Baird are not eligible for **"Judicial Immunity"** because Judges Oakley and Baird acted **"In Clear Absence of All Jurisdiction"** where Judges Oakley and Baird acted outside of the Georgia's Performance Management Process by not requiring a P.M.P. during these proceedings as an act that was outside of the Georgia State Law of Undisclosed Dual Agency and the Federal Retaliation and Discrimination Laws of the E.E.O.C. and the United States Constitution under Titles I, V, and VII where the Petitioner has already **Won** a favorable Decision with the **State Bar of Georgia** in this case, and the Petitioner has already **Won** a favorable Decision **In the State Supreme Court of Georgia** in this case where the Attorney Charles D. Best was **Disbarred** for violating his Fiduciary Responsibilities to his Client (the Petitioner) in this case **(28 U.S.C. &2403(a)).**

EXHIBIT A – STATE BAR OF GEORGIA LETTER THAT CONFIRMS THAT THE ATTORNEY CHARLES D. BEST IS SHADY AND UNSCRUPULOUS AS UNDISCLOSED DUAL AGENCY DATED JULY 20, 2005

STATE BAR OF GEORGIA
OFFICE OF THE GENERAL COUNSEL

WILLAM P. SMITH, III
GENERAL COUNSEL
Bar Counsel
ROBERT E. McCORMACK
Deputy General Counsel
JOHN J. SHIPTENKO
Assistant General Counsel

Disciplinary Counsel
PAULA J. FREDERICK
Deputy General Counsel
JENNY K. MITTELMAN
JONATHAN HEWETT
Sr. Assistant General Counsel
GENE CHAPMAN
ELIZABETH M. WILLIAMSON
KELLYN O. McGEE
Assistant General Counsel
REBECCA A. HALL
Grievance Counsel

July 20, 2005

Sgt. Emmett L. Williams
1266 Bedford Avenue
Columbus, Georgia 31903

Re: **In the Matter of Charles Douglas Best**
State Disciplinary Board Docket No. 4914

Dear Sgt. Williams:

The Investigative Panel of the State Disciplinary Board has concluded its investigation into the grievance that you filed against Charles Best. Mr Best never filed any response to your complaint and at its meeting on July 8, 2005, the Panel issued a Notice of Discipline recommending that the Supreme Court disbar him.

The Panel had seven other cases before it regarding Mr Best. Apparently he has abandoned his practice. We have

Exhibit A

received word that he is a resident in a facility for people who suffer from alcoholism or drug abuse, but have not been able to contact him there.

It is likely that the Court will enter an order disbarring Mr. Best if he does not file any response to the Notices of Discipline. I will be in touch with you when the Supreme Court enters an order in this matter; in the meantime, feel free to contact me or Deborah Grant, my assistant, if you have questions.

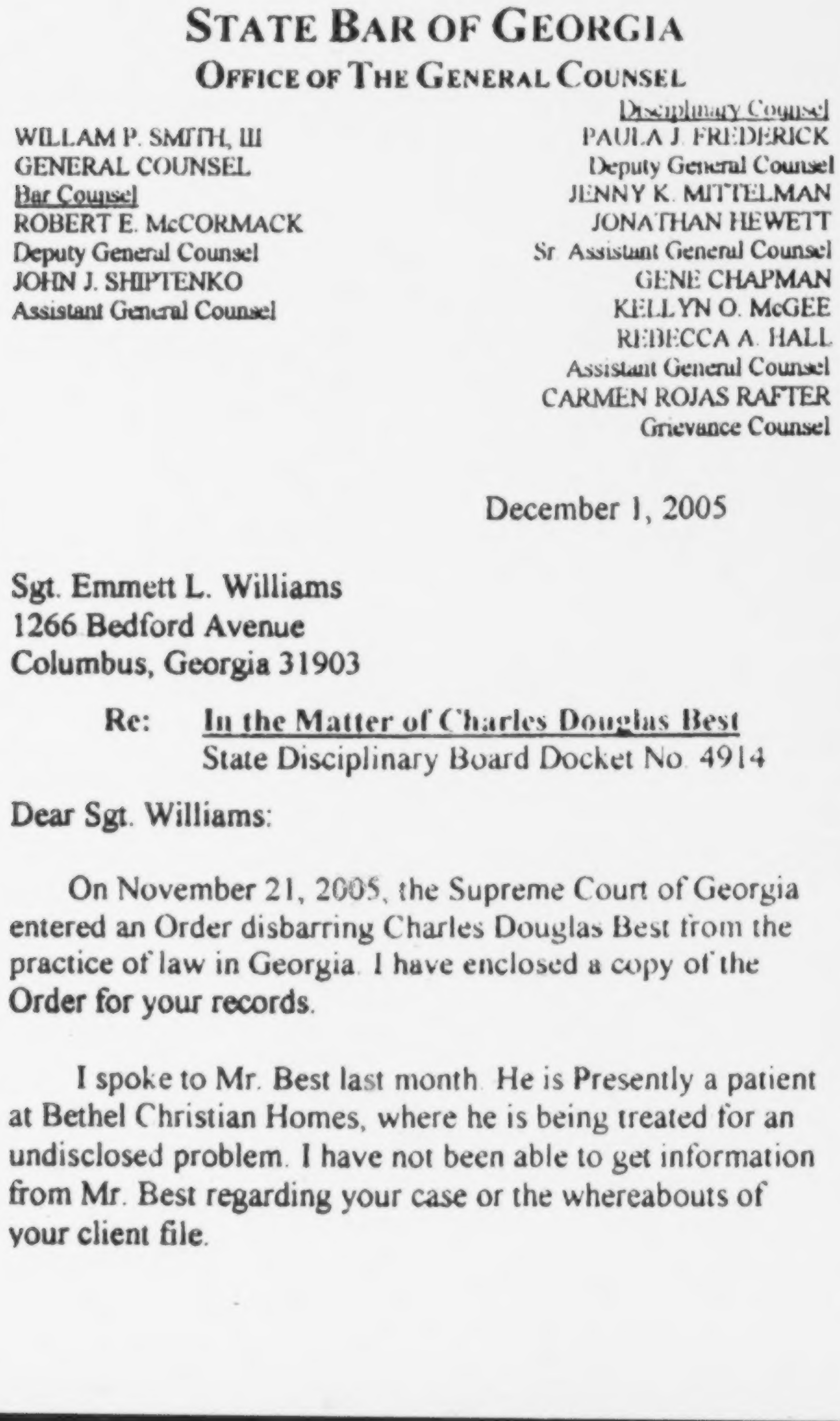
Sincerely,

/s/ Paula Frederick
Paula J Frederick
Deputy General Counsel

PJF/dmg

3.

EXHIBIT B – STATE BAR OF GEORGIA LETTER THAT CONFIRMS THAT THE ATTORNEY CHARLES D. BEST IS SHADY AND UNSCRUPULOUS AS UNDISCLOSED DUAL AGENCY DATED DECEMBER 1, 2005



STATE BAR OF GEORGIA
OFFICE OF THE GENERAL COUNSEL

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Bar Counsel
ROBERT E. McCORMACK
Deputy General Counsel
JOHN J. SHIPTENKO
Assistant General Counsel

Disciplinary Counsel
PAULA J. FREDERICK
Deputy General Counsel
JENNY K. MITTELMAN
JONATHAN HEWETT
Sr. Assistant General Counsel
GENE CHAPMAN
KELLYN O. McGEE
REBECCA A. HALL
Assistant General Counsel
CARMEN ROJAS RAFTER
Grievance Counsel

December 1, 2005

Sgt. Emmett L. Williams
1266 Bedford Avenue
Columbus, Georgia 31903

Re: In the Matter of Charles Douglas Best
State Disciplinary Board Docket No. 4914

Dear Sgt. Williams:

On November 21, 2005, the Supreme Court of Georgia entered an Order disbarring Charles Douglas Best from the practice of law in Georgia. I have enclosed a copy of the Order for your records.

I spoke to Mr. Best last month. He is Presently a patient at Bethel Christian Homes, where he is being treated for an undisclosed problem. I have not been able to get information from Mr. Best regarding your case or the whereabouts of your client file.

Exhibit B

With entry of the Court's Order, our investigation of Mr. Best is over. However, you may wish to file a claim with the State Bar of Georgia's Client' Security Fund, which is sometimes able to reimburse money that former clients have lost as the result of a lawyer's dishonest conduct. You may be able to recover some of the fees that you paid Mr. Best by filing an application to the Clients' Security Fund. I have enclosed a brochure that describes the Fund and an application form for your use.

If you have not already done so, you will need to hire another lawyer to complete the legal matter that Mr. Best was handling for you. Good Luck with your case.

Sincerely,

/s/ Paula Frederick
Paula J Frederick
Deputy General Counsel

PJF/dmg

104 Marietta Street, N.W.- Suite 100 - Atlanta, Georgia 30303
(404) 527-8720 - (800) 334-6865 - (404) 527-8744 facsimile

Exhibit B

In the Supreme Court of Georgia

Decided: NOV 21 2005
(Stamped)

S05Y1880; S05Y1881; S05Y1882; S05Y1883;
S05Y1884; S05Y1885; S05Y1886; S05Y1887

IN THE MATTER OF CHARLES DOUGLAS BEST

PER CURIAM.

These disciplinary matters are before the Court on the Notices of Discipline filed by the State Bar against Respondent Charles Douglas Best in which it recommends that Best be disbarred for his violations of Rules 1.3; 1.4; 8.4 (a) (4); and 9.3 of the Rules of Professional Conduct found in Bar Rule 4-102 (d). The State Bar Served Best by publication in accordance with Bar Rule 4-203.1 (b) (3) (ii) but Best failed to reject the notice within 30 days of service, see Bar Rule 4-208.3 (a), and accordingly, he in default, has no right to an evidentiary hearing and is subject to the discipline of this Court. See Bar Rule 4-208. 1(b).

Footnote:

We note that, for the first time, Best has filed a petition for voluntary surrender of his license with this Court. In general, However, such petitions may be submitted prior to the issuance of a formal complaint for the consideration by the State Bar, not this Court. See Bar Rule 4-227 (b).

6.

Exhibit B

In each of the eight cases, Best accepted representation and fees, but took little or no action to pursue his clients' cases. His telephone numbers were disconnected and he moved from his office with no forwarding address. He did not contact or communicate with his clients, nor did he take any action to protect their rights. Accordingly, we agree with the name of Charles Douglas Best be removed from rolls of attorneys authorized to practice law in the State of Georgia. He is reminded of his duties under Bar Rule 4-219 (c).

Disbarred. All the Justices concur.

Footnote:

Therefore, we do not consider Best's untimely petition, and it does not change the outcome in this case.

EXHIBIT C – THIS IS A LETTER FROM THE STATE BAR OF GEORGIA DATED AUGUST 03, 2006 WHERE THE TRUSTEES OF THE CLIENTS' SECUIRTY FUND MET AND AGREED TO REINBURSE THE PETITIONER A TOTAL OF $1,850.00 FROM THE ATTORNEY CHARLES D. BEST'S AND THE RESPONDENTS' UNDISCLOSED DUAL AGENCY RELATIONSHIP

STATE BAR OF GEORGIA
Clients' Security Fund

August 3, 2006

Mr. Emmett L. Williams
1266 Bedford Avenue
Columbus, Georgia 31903

Re: Your Application for Relief to the Clients' Security Fund

Dear Mr. Williams:

On July 27, 2006, the trustees of the Clients' Security Fund of the State Bar of Georgia met and reviewed the application for relief you filed against Charles Douglas Best. **I am pleased to report that after careful consideration the trustees voted to pay your claim in the amount of $1,850.00.**

As required by the rules governing the Clients' Security Fund, before we can forward a check to you, you must assign to the Clients' Security Fund your claim against Charles Douglas Best to the extent of 1,850.00. A copy of the rules and assignment are enclosed. Please sign the assignment in the presence of a Notary Public and return the entire executed assignment to my attention at the address shown below.

In addition, the State Bar of Georgia reports all payments from the Clients' Security Fund to the Internal Revenue Service via IRS Form 1099. For this reason, you must complete and sign the enclosed Request for Taxpayer Identification Number form and return it to us along with the executed assignment. At the end of

Exhibit C

this year, you will receive IRS form 1099. You should consult with an accountant or tax professional to determine if this amount should be considered taxable income.

After receiving the executed assignment and tax form, I will promptly forward your check by certified mail. You may also arrange to pick the check up at State Bar Headquarter by callin me at (404) 527-8771.

If you have any questions please feel free to contact me at (404) 527-8771.

Sincerely,

/s/ BrossDerrickson
Betty Ross Derrickson
Paralegal

Enclosures

EXHIBIT D – THIS IS A LETTER FROM THE STATE BAR OF GEORGIA DATED SEPTEMBER 06, 2006 WHERE THE TRUSTEES OF THE CLIENTS' SECURITY FUND MADE A REIMBURSEMENT TO THE PETITIONER FOR A TOTAL OF $1,850.00 FOR THE ATTORNEY CHARLES D. BEST'S AND THE RESPONDENTS' UNDISCLOSED DUAL AGENCY RELATIONSHIP

STATE BAR OF GEORGIA
Clients' Security Fund

September 6, 2006

Certified Mail
Return Receipts Requested

Mr. Emmett L. Williams
1266 Bedford Avenue
Columbus, Georgia 31903

Re: Your Application for Relief to the Clients' Security Fund

Dear Mr. Williams:

This will acknowledge receipt of the executed Assignment and Request for Taxpayer Identification Number form W-9, which appears to be in order. Accordingly, please find enclosed a check made payable to you in the amount of 1,850.00. **We hope this payment, at least to some extent, help remedy the loss you have suffered.**

Sincerely,
/s/ BrossDerrickson
Betty Ross Derrickson
Paralegal

Enclosure

104 Marietta Street – Suite 100 – Atlanta, Georgia 30303
(404) 527-8720 – (800) 334-6865 – (404) 527-8744 facsimile